25 Kent Avenue*

Environmental Assessment Statement

CEQR #

16DCP065K

ULURP #

C160124ZSK, C160125ZSK, N160126ZRK

Prepared for:

19 Kent Acquisition LLC

Prepared by:

Philip Habib & Associates

REVISED

May 20, 2016

*This Revised Environmental Assessment analyzes the proposed City Planning Commission modifications as well as a revised air quality analysis and associated e-designation requirements. These changes are explained herein.

25 Kent Avenue

Environmental Assessment Statement

TABLE OF CONTENTS

EAS FORM

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 25 Kent Avenue EAS

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
16DCP065K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
C160124ZSK, C160125ZSK, N160126ZRK	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT 19 Kent Acquisition LLC and The New York City Department of City Planning		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin, AICP			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Raymond Levin for 19 Kent Acquisition LLC and Beth Lebowitz for the Department of City Planning		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 61 Broadway, Suite 1801		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10006
TELEPHONE (212) 720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE (212)391-8045	EMAIL rlevin@slaterbeckerman.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 617.4(b)(6)(v)

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

This Revised Environmental Assessment analyzes proposed modifcations that the City Planning Comission is actively considering. These changes are described in detail herein but includebut include: changing the name of an "Enhanced Business Area" to an "Industrial Business Incentive Area"; changing the name of "Business Enhancing Use" to "Required Industrial Use" (RUI's); adding a required public placard similar to FRESH Program requirements; requiring a website which would detail Required Industrial Use (RIU's), square footage, and the location of businesses in the building; reducing the text's applicable geography, from the approximately 14- block M1-2 district to the single- block proposed Development Site; prohibiting transient hotel usage (Use Group 5) for developments receiving special permit provisions. Additionally, the Revised Environmental Assessment reflects an updated air quality analysis and e-designation based on refined building roof plans as well as minor editorial edits including revisions to: graphics, typos, and Table B-2, which was previously truncated. It should be noted that only the zoning text is being modified by CPC modification-- the Special Permit findings and the Special Permit actions themselves are not.

The Proposed Action would facilitate the development of the block bounded by North 12th and North 13th Streets and Kent and Wythe Avenues in Brooklyn Community District 1 (the "Development Site"), which is owned by 19 Kent Acquisition LLC. In order to develop the Proposed Development, the following land use actions are required:

(A) A zoning text amendment ("Zoning Text Amendment") to create Section 74-96 of the Zoning Resolution of the City of New York. The proposed Zoning Text Amendment would establish and map an Industrial Business Incentive Area. Additionally, the Zoning Text Amendment would create special permits that would be available to properties within the defined boundaries of the Industrial Business Incentive Area. The newly created special permits would allow modifications to the use, bulk, and accessory off-street parking and loading requirements of the existing zoning district

through a series of findings and conditions that are required for the special permit application (described in detail below). The Industrial Business Incentive Area for this project, created by the proposed Zoning Text Amendment, would be the single-block Proposed Development Site zoned M1-2 in the Greenpoint-Williamsburg Industrial Business Zone, the general boundaries of which are North 13th Street to the north, North 12th Street to the south, Kent Avenue to the west, and Wythe Avenue to the east (the "Development Site"). The Applicant-owned Development Site contains the same boundaries where the special permit is applicable. The New York City Department of City Planning (NYCDCP) will be acting as a co-applicant for the Zoning Text Amendment, but is not a co-applicant for the two special permit applications described below.

(B) A special permit pursuant to Section 74-962 (Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Area) to allow a change of uses within the maximum 4.8 floor area ratio (FAR) that is permitted under existing zoning for community facility uses. The Zoning Text Amendment would incentivize the construction of commercial and/or manufacturing buildings that allocate a portion of their floor area to certain light industrial uses in Use Groups 11A, 16A, 16B, 17B, and 17C, as specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries (Use Group 18A) as listed in Section 42-15 (collectively, "Required Industrial Uses"). To incentivize construction of Required Industrial Uses, the Zoning Text Amendment would allow additional floor area devoted to Incentive Uses. "Incentive Uses" are all uses permitted by the underlying M1-2 district, with the following exceptions: transient hotels in Use Group 5 (as specified in Section 32-14); uses in Use Groups 6A and 6C (as specified in Section 32-15); uses in Use Group 8C (as specified in Section 32-17); uses in Use Group 10A (as specified in Section 32-19); uses in Use Groups 12 and 13 (as specified in Sections 32-21 and 32-22); and moving or storage offices with no limitation as to storage or floor area per establishment, packing or crating establishments, and warehouses (as specified in Section 32-25). For projects that devote one square foot of floor area to Required Industrial Uses, the proposed zoning allows a 3.5 square foot increase in maximum allowable floor area beyond the 2.0 FAR limitation on commercial and industrial uses of the underlying M1-2 district if certain design, envelope and urban design findings are met. In no event may the resulting FAR exceed the maximum 4.8 FAR permitted in the M1-2 district. The Proposed Development would provide sufficient Required Industrial Uses to capture the full 2.0 FAR, though the Proposed Development would consist of 4.75 FAR.

(C) A special permit pursuant to Section 74-963 (parking and loading modifications in Required Industrial Uses) to modify the number of loading berths and parking spaces required for the Proposed Development pursuant to the existing M1-2 zoning. The Proposed Development would provide three loading docks and a 275-space below-grade parking garage to satisfy the anticipated on-site demand.

In addition to facilitating the Proposed Development, the proposed Zoning Text Amendment seeks to provide an incentive to property owners and landowners in the IBZ to create new employment opportunities while ensuring that future employment in the area includes light-industrial jobs.

In conjunction with the requested Special Permit, 19 Kent Acquisition LLC is proposing the redevelopment of the Development Site with an approximately 485,156 gsf light industrial/manufacturing and commercial office building. The Proposed Development would rise to eight stories to a height of approximately 135 feet (excluding rooftop mechanical equipment). The Proposed Development would include approximately 169,768 gsf of uses permitted by the underlying M1-2 district ["Permitted Uses"] (including 37,347 gsf of ground floor local retail), approximately 165,921 gsf of Incentive Uses, approximately 70,722 gsf Required Industrial Uses. Approximately 54,005 gsf of ground floor and cellar floor parking and loading space is proposed (includes a 275-space parking garage and three accessory loading docks). Approximately 19,412 gsf of mechanical space, tenant storage and tenant amenities would be provided on the cellar level. Additionally, an approximately 14,328 gsf covered publicly-accessible pedestrian walkway is proposed on the ground floor approximately midway between North 12th Street and North 13th Street which would provide connectivity east-west through the Proposed Development Site. The covered pedestrian walkway would connect two 4,800 sf public plazas that are proposed on-site. The Proposed Development would have an FAR of 4.75.

Project Location		
BOROUGH	COMMUNITY DISTRICT(S)	STREET ADDRESS

Brooklyn	1	25 Kent Avenue
TAX BLOCK(S) AND LOT(S) Block 2282, Lot 1		ZIP CODE 11249
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Kent Ave (west), N13th St (north), Wythe Ave (east), and N12th St (south)		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2		ZONING SECTIONAL MAP NUMBER 12c

5. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☐ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☒ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION
Sections 74-962 and 74-963

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

Other City Approvals Not Subject to CEQR (check all that apply)

☒ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
	☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP	☒ ZONING MAP	☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP		

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 80,000	Waterbody area (sq. ft.) and type: N/A
Roads, buildings, and other paved surfaces (sq. ft.): 80,000	Other, describe (sq. ft.): N/A

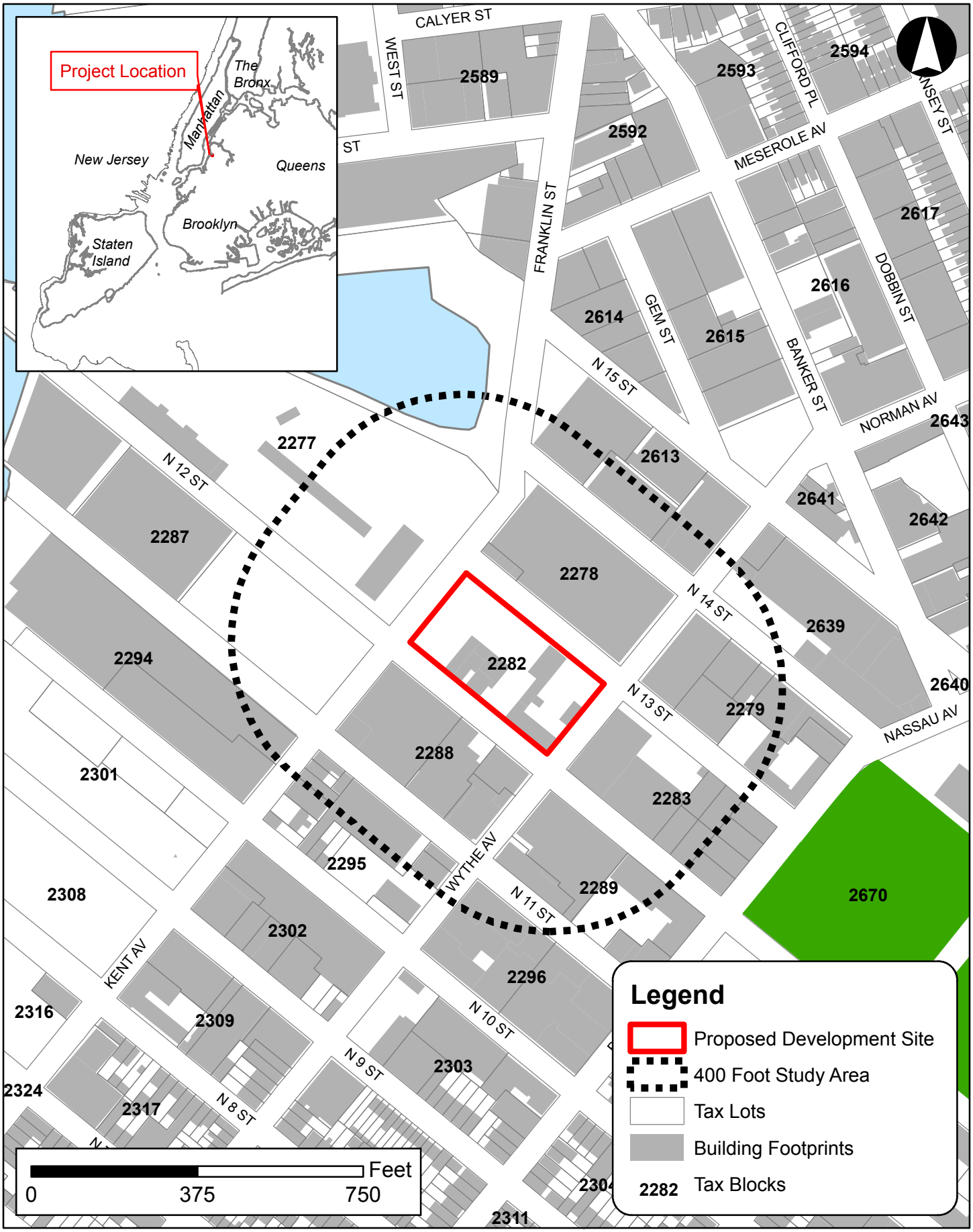
7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

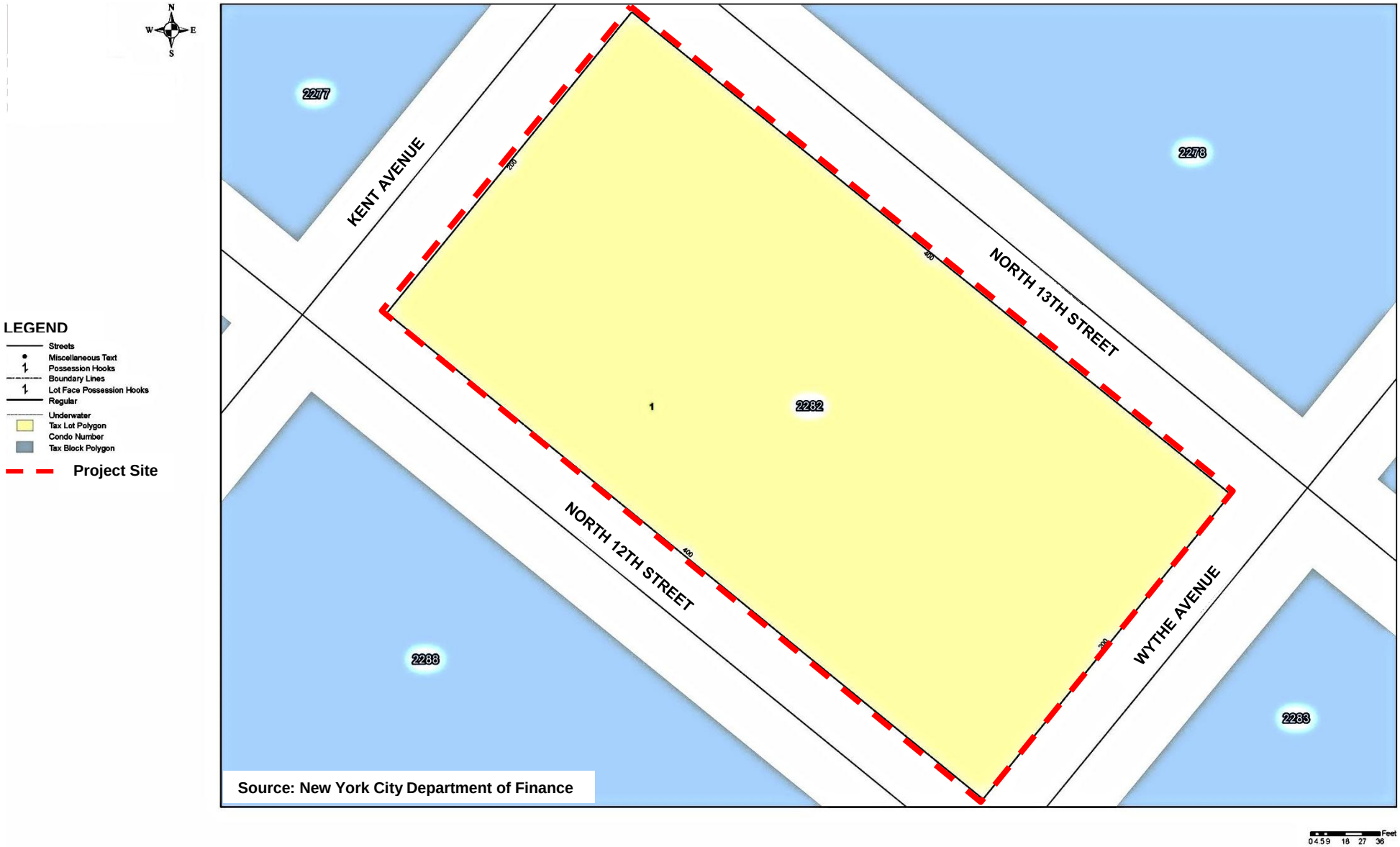
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 485,156

NUMBER OF BUILDINGS: 1	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 485,156
HEIGHT OF EACH BUILDING (ft.): 135 (excludes rooftop mechanical equipment)	NUMBER OF STORIES OF EACH BUILDING: 8

Does the proposed project involve changes in zoning on one or more sites? ☐ YES ☒ NO
If "yes," specify: The total square feet owned or controlled by the applicant:

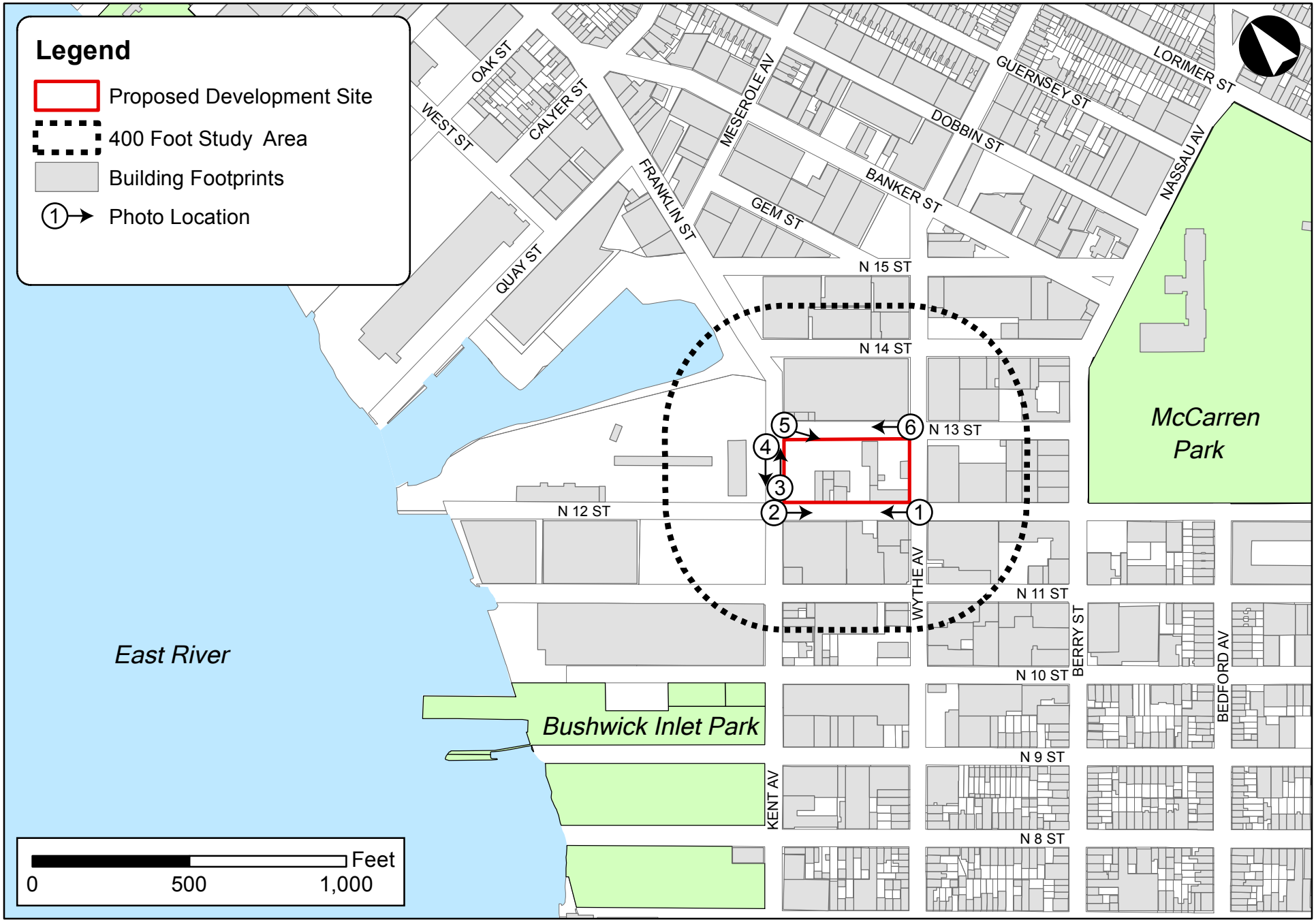
Figure 1
Project Location





25 Kent Avenue EAS

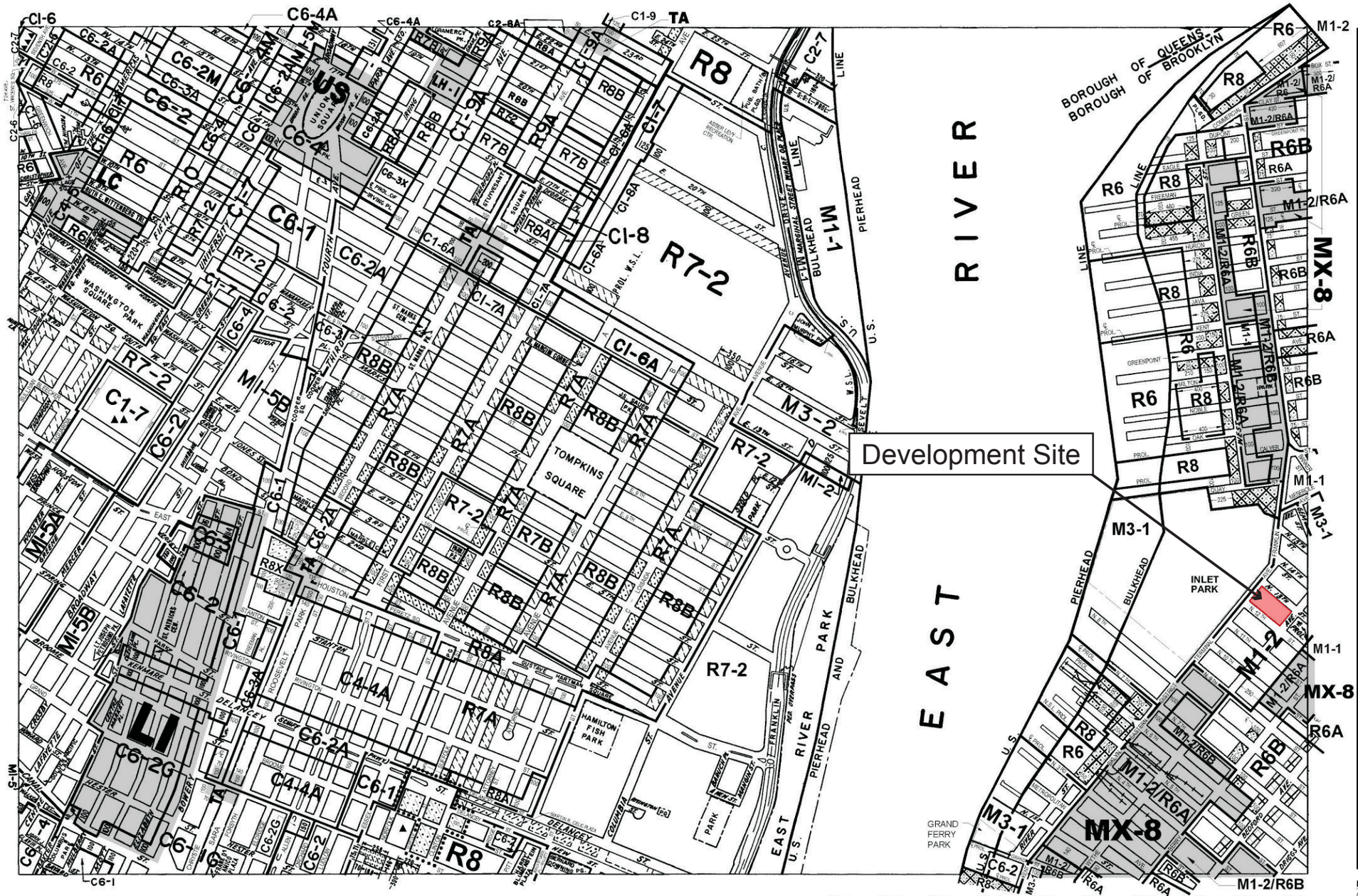
Figure 2
Tax Map



25 Kent Avenue EAS

Figure 3
Photo Location Map

25 Kent Avenue, Brooklyn - Zoning Map (1 of 2)
Project ID #: P2013K0353



C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

10–11–2012 C 120226 ZMM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

CITY MAP CHANGE(S):

▲▲▲ 8–28–2015 C 150203 MMM
▲▲ 7–25–2015 C 120077 MMM
▲ 6–01–2013 C 120156 MMM

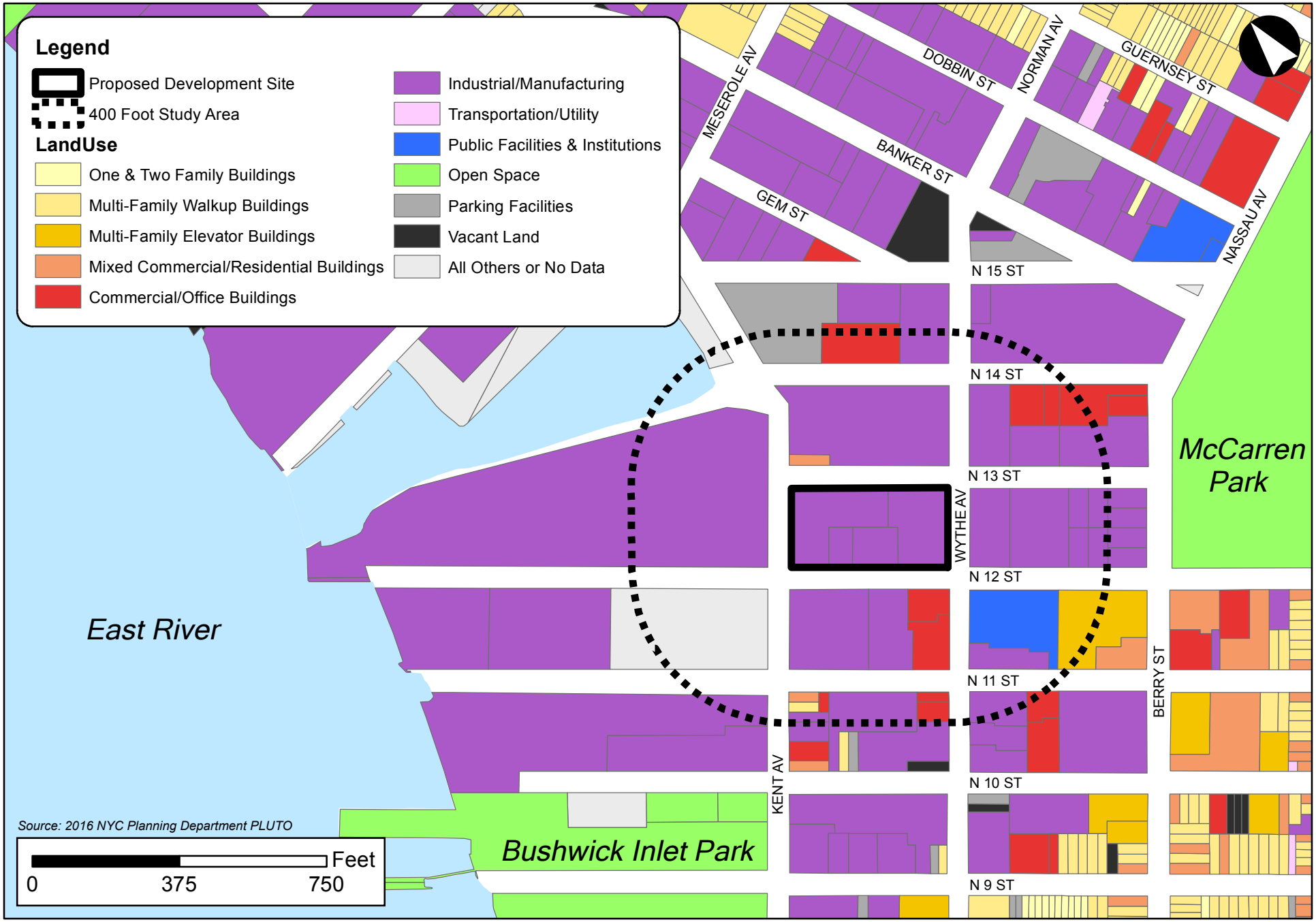
N

MAP KEY

8b	8d	9b
12a	**12c**	13a
12b	12d	13b

ZONING MAP 12c

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.



25 Kent EAS

Figure 5
Area Land Uses

The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 80,000 sq. ft. (width x length) VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 80,000 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational):

2018

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS:

Up to 24

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY? N/A

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

N/A

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type of residential structures	N/A	N/A	N/A	
No. of dwelling units	N/A	N/A	N/A	
No. of low- to moderate-income units	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Commercial	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	N/A	Commercial office, local retail	Commercial office, local retail	Same
Gross floor area (sq. ft.)	N/A	101,259	316,101	+214,842
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type of use	N/A	N/A	Required Industrial Uses	
Gross floor area (sq. ft.)	N/A	N/A	70,722	+70,722
Open storage area (sq. ft.)	N/A	N/A	0	
If any unenclosed activities, specify:	N/A	N/A	N/A	
Community Facility	☐ YES ☒ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type	N/A	Medical office	N/A	
Gross floor area (sq. ft.)	N/A	237,982	N/A	-237,982
Vacant Land	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	Former industrial buildings on the site have been demolished. Site remediation and initial foundation work is underway.	N/A	N/A	
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	N/A	N/A	9,600 sf publicly accessible plazas	9,600 sf publicly accessible plazas
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	N/A	N/A	N/A	
PARKING				
Garages	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	N/A	0	0	Same
No. of accessory spaces	N/A	1,100	275	-825
Operating hours	N/A	TBD	TBD	
Attended or non-attended	N/A	Attended	Attended	
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	N/A	N/A	N/A	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify number:	N/A	N/A	N/A	
Briefly explain how the number of residents was calculated:	N/A			
Businesses	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	N/A	Local retail; medical office; office	Local retail; Required Industrial Uses; office	
No. and type of workers by business	N/A	1,185 employees (793 medical office employees; 111 retail employees; 258 office employees; 23 parking employees)	1,516 employees (283 Required Industrial Uses employees; 112 retail employees; 1,115 office employees; 6 parking employees)	333 employees
No. and type of non-residents who are not workers	N/A	N/A	N/A	
Briefly explain how the number of businesses was calculated:	1 employee per 250 sf of office; 1 employee per 300 sf of medical office; 3 employees per 1,000 sf of retail; 1 employee per 50 parking spaces; and 1 employee per 250 sf of Required Industrial Uses (rate for Required Industrial Uses based on office rate as it would not be representative of traditional industrial uses, which have a much lower employee rate)			
Other (students, visitors, concert-goers, *etc.*)	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If any, specify type and number:	Unknown	TBD	TBD	
Briefly explain how the number was calculated:	"Other population" is TBD. The number of retail patrons depends on the types of tenants that lease the space. Similarly, the visitors to the Required Industrial Uses depends on the type of items being manufactured. A rate of 1 visitor per 1,000 sf per day can be assumed for office. The trip rate for medical office used in the trip generation includes a daily rate for workers, visitors, deliveries, etc. Finally, it is anticipated that the public plazas would be largely utilized by building tenants and visitors and would not be considered a destination open space.			
ZONING				
Zoning classification	M1-2	M1-2	M1-2	Same
Maximum amount of floor area that can be developed	2.0 for commercial and light manufacturing; 4.8 for community facility uses	2.0 for commercial and light manufacturing; 4.8 for community facility uses	2.0 for light manufacturing; 2.0 for incentive uses and 2.0 for permitted M1-2 commercial uses (with Special Permit); 4.8 for community facility uses	2.0 FAR increase for commercial by Special Permit
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	M1-1, M1-2, M1-2/R6A (MX8), M3-1	M1-1, M1-2, M1-2/R6A (MX8), M3-1	M1-1, M1-2, M1-2/R6A (MX8), M3-1	Same
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Attachment C		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach. N/A		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form. See Appendix IV		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☒
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☐

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☒
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☒
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☒
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☒
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☐
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	☐	☐

	YES	NO
percent?		
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. N/A		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See Attachment B.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. See Attachment E.		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions. N/A		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: USTs previously on-site; upgradient sources; a sediment trap; areas of staining; groundwater contamination detected on the project site; soil contamination throughout the remainder of the project site.	☒	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? Phase II ESI has been completed and site remediation has begun. Refer to Attachment B.	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒

	YES	NO
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☒	☐
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. See Attachment E		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 32,237		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 119,255,132 MBtu		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See Attachment B	☒	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Attachment F		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒

	YES	NO
(c) Would the proposed project result in the development of 350,000 square feet or more?	☒	☐
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☒
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Attachment B.		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. See Attachment B.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. See Attachment B.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☐	☒
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See Attachment B.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Beth Lebowitz	Beth Lebowitz	5/20/2016
RAYMOND LEVIN	Raymond Levin	05/20/2016

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE Director	LEAD AGENCY NYC Department of City Planning
NAME Robert Dobruskin	DATE 5/20/16
SIGNATURE Robert Dobruskin	

Attachment A

Project Description

I. INTRODUCTION

19 Kent Acquisition LLC (the Applicant) proposes to redevelop 25 Kent Avenue (Block 2282, Lot 1) in the Williamsburg Northside neighborhood of Brooklyn Community District 1 with a new primarily commercial office building (the Proposed Development). **Figure A-1** shows the project site location and **Figure A-2** shows an aerial view of the project site and the surrounding area. The Proposed Development would consist of eight stories and would be approximately 135 feet tall. It would include a total of 485,156 gross square feet (gsf), including 405,156 gsf and approximately 380,097 zoning square feet (zsf) above grade and 80,000 gsf of below grade parking, mechanical space, tenant storage and tenant amenities. The Proposed Development would include approximately 169,768 gsf (159,848 zsf) devoted to any uses permitted by the underlying M1-2 zoning district on an as-of-right basis[1] ("Permitted Uses") (2.0 FAR), approximately 165,921 gsf (156,535 zsf) of Incentive Uses[2] (defined herein) (1.95 FAR), and approximately 70,722 gsf (63,714 zsf) of Required Industrial Uses (defined herein) (0.8 FAR). The Proposed Development also seeks a special permit to reduce the required number of parking and loading spaces to accommodate the anticipated demand from the proposed mix of uses; as such, the Proposed Development would provide three loading docks and a 275-space below-grade attended accessory parking garage. Additionally, two 7,200 square-foot (sf) public plazas are proposed on opposite corners of the Development Site (one would be located on the north-west corner of Wythe Avenue and North 12th Street and the other would be located on the south-east corner of Kent Avenue and North 13th Street). Finally, an approximately 13,838 gsf covered publicly-accessible pedestrian walkway is proposed on the ground floor approximately midway between North 12th Street and North 13th Street which would provide connectivity east-west through the Development Site. The Proposed Development would have an FAR of 4.75.

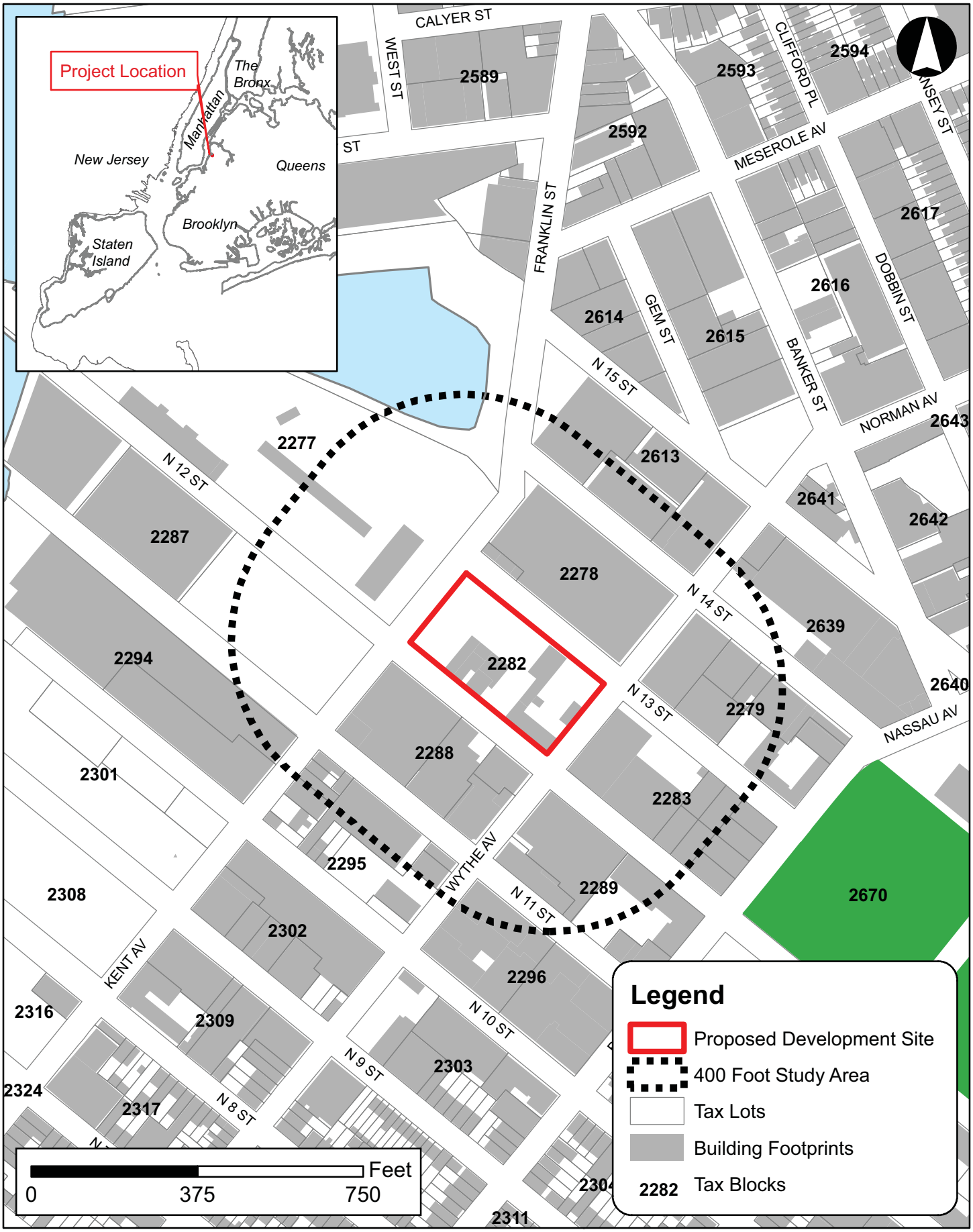
Following recommendations from Community Board 1 and the Brooklyn Borough President, as well as comments raised during the public review, the City Planning Commission ("CPC" or "the Commission") has revised the applicable geography of the proposed zoning text amendment. Additionally, to further ensure a proposed development meets the intent of the special permit text, the Commission modified the special permit use conditions pursuant to Zoning Resolution section 74-962(b)(1) to include a restriction on transient hotels (Use Group 5) in any development or enlargement availing itself of the Industrial Business Incentive Area (IBIA) floor area increase. While the neighborhood consists of a mix of uses, including office, industrial, and existing hotels, potential concerns and use conflicts could be raised by including sleeping accommodations within a Required Industrial Use building.[3] Due to the change in the project's geography, whereas the Approved EAS of December 2015 evaluated a geography that included an approximately 14-block area, this revised EAS considers potential for the single-block proposed Development Site to result in significant adverse environmental impacts.

[1] A wide variety of use groups are permitted on an as-of-right basis within M1-2 zoning districts. Typical uses that are expected to occupy the space dedicated to "Permitted Uses" include retail and service establishments that serve local shopping needs, like food and small clothing stores and restaurants. However, hotels are being removed from the as-of-right uses.

[2] "Required Industrial Uses" include manufacturing and light industrial uses that can meet the more stringent M1 performance standards. Typical manufacturing uses include art needle work, baking, jewelry manufacturing, printers, custom woodworking shops, and metal working.

[3] As discussed earlier, ongoing studies related to mixed industrial typologies will further analyze these potential conflicts and provide additional recommendations on the viability of mixing more sensitive uses.

Figure A-1
Project Location



25 Kent Avenue EAS

Figure A-2
Aerial Photo

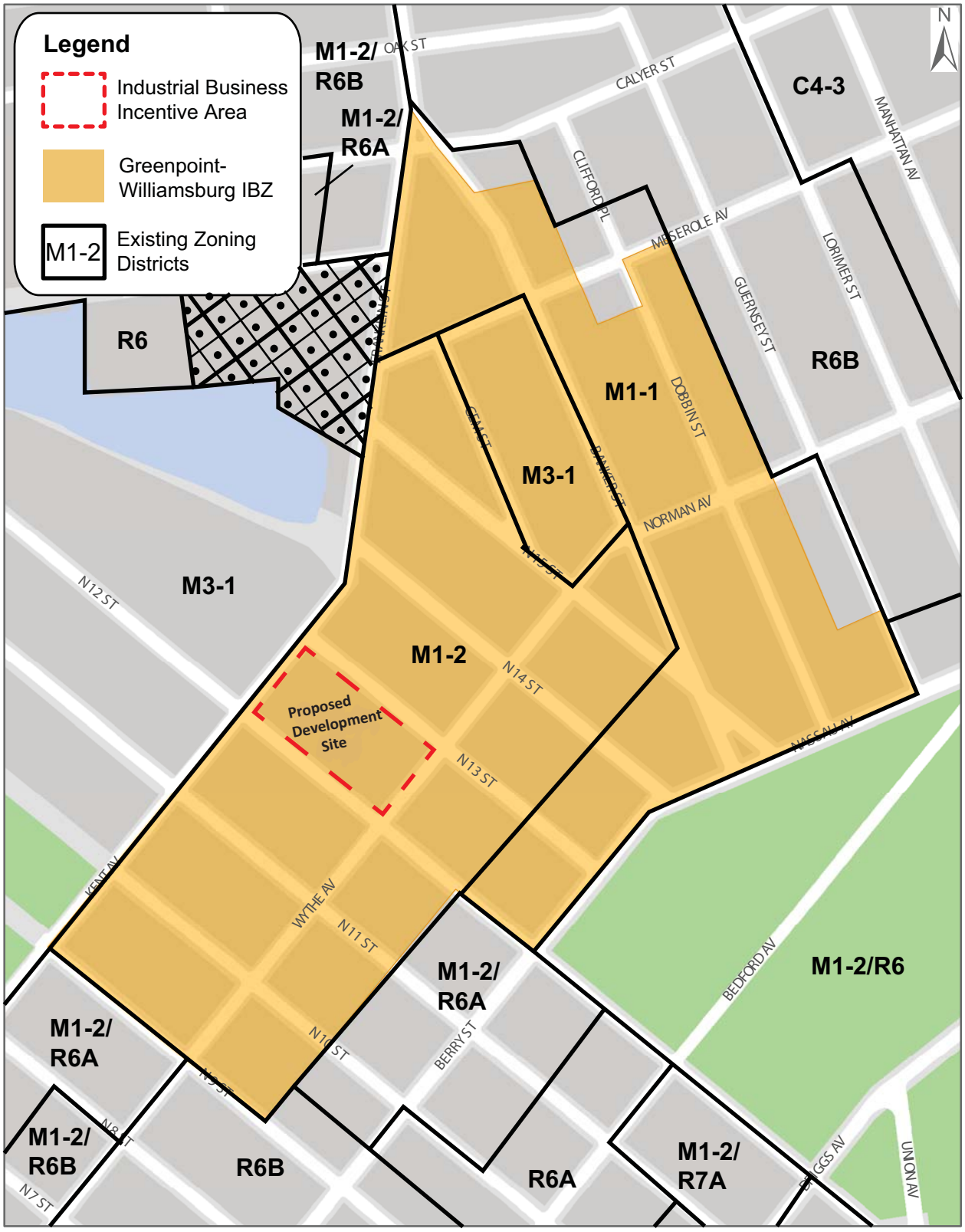
It should be noted that only the zoning text is being modified by CPC modification as compared to the Approved EAS of December 2015--the Special Permit findings and the Special Permit actions themselves are not.

The building will contain three categories of uses within the existing maximum floor area ratio (FAR) of 4.8. These categories are (i) as-of-right uses permitted in the underlying M1-2 district (excluding transient hotels); (ii) M1-2 uses excluding hotels, storage, and certain other uses, and (iii) a limited list of uses focused on encouraging light manufacturing. In order to facilitate the Proposed Development, the following land use actions are required:

A. A zoning text amendment ("Zoning Text Amendment") to create Section 74-96 of the Zoning Resolution of the City of New York (the "Zoning Resolution" or "ZR"). The proposed Zoning Text Amendment would establish and map an Industrial Business Incentive Area. Additionally, the Zoning Text Amendment would create special permits that would be available to properties within the defined boundaries of the Industrial Business Incentive Area. The newly created special permits would allow modifications to the use, bulk, and accessory off-street parking and loading requirements of the existing zoning district through a series of findings and conditions that are required for the special permit application (described in detail below). The Industrial Business Incentive Area for this project, created by the proposed Zoning Text Amendment, would be a one-block Applicant-owned Development Site zoned M1-2 in the Greenpoint-Williamsburg Industrial Business Zone (the "Greenpoint-Williamsburg IBZ"), as shown in **Figure A-3**. The Applicant-owned Development Site is bounded by Kent Avenue on the west, North 13th Street on the north, Wythe Avenue on the east, and North 12th Street on the south. The Development Site would be mapped as an Industrial Business Incentive Area. The New York City Department of City Planning (NYCDCP) will be acting as a co-applicant for the Zoning Text Amendment, but is not a co-applicant for the two special permit applications described below.

B. A special permit pursuant to ZR Section 74-962 (Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Areas) to allow a change of uses within the maximum 4.8 floor area ratio (FAR) that is permitted under existing zoning for community facility uses. The Zoning Text Amendment would incentivize the construction of commercial and/or manufacturing buildings that allocate a portion of their floor area to certain light industrial uses in Use Groups 11A, 16A, 16B, 17B, and 17C, as specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries (Use Group 18A) as listed in Section 42-15 (collectively, "Required Industrial Uses"). To incentivize construction of Required Industrial Uses, the Zoning Text Amendment would allow additional floor area devoted to Incentive Uses. "Incentive Uses" are all uses permitted by the underlying M1-2 district, with the following exceptions: transient hotels in Use Group 5 (as specified in Section 32-14); uses in Use Groups 6A and 6C (as specified in Section 32-15); uses in Use Group 7A as specified in Section 32-16; uses in Use Group 8C (as specified in Section 32-17); uses in Use Group 10A and any retail spaces accessory to wholesale offices or showrooms with storage restricted to samples in Use Group 10B (as specified in Section 32-19); uses in Use Groups 12 and 13 (as specified in Sections 32-21 and 32-22); and moving or storage offices with no limitation as to storage or floor area per establishment, packing or crating establishments, and warehouses (as specified in Section 32-25). For projects that devote one square foot of floor area to Required Industrial Uses, the proposed zoning allows a 3.5 square foot increase in maximum allowable floor area beyond the 2.0 FAR limitation on commercial and industrial uses of the underlying M1-2 district if certain design, envelope and urban design findings are met (provided that such development or enlargement does not include a transient hotel), resulting in a ratio of 1 square foot of Required Industrial Use for every 2.5 square feet of Incentive Use. In no event may the resulting FAR exceed the maximum 4.8 FAR permitted in the M1-2 district. The Proposed Development would provide sufficient Required Industrial Uses to capture the full 2.0 FAR available,

Proposed Special Permit - Affected Area



Data Source: MapPLUTO copyrighted by the New York City Department of City Planning
Prepared by New York City Economic Development Corporation (MGIS Unit) 08/21/2013

though the Proposed Development would consist of 4.75 FAR. As the special permit pursuant to ZR Section 74-962 is new, this application would be the first to seek this action.

C. A special permit pursuant to ZR Section 74-963 (parking and loading modifications in Industrial Business Incentive Areas) to modify the number of loading berths and parking spaces required for the Proposed Development pursuant to the existing M1-2 zoning. The Proposed Development would provide three loading docks and a 275-space below-grade parking garage to satisfy the anticipated on-site demand. As the special permit pursuant to ZR Section 74-963 would be created as a result of the proposed Zoning Text Amendment, this site is the first site to apply for this special permit.

In addition to the above, monitoring of the Required Industrial Uses would be required. A public placard, such as those required under the City's FRESH program requirements, would be mandatory to identify the site as containing Required Industrial Uses. Additionally, the Applicant would have to establish a website which would include information such as the name of Required Industrial Use businesses, the square footage of each such business, and the location of the businesses within the building.

The Proposed Actions are subject to environmental review under City Environmental Quality Review (CEQR) regulations and guidelines.

The Zoning Text Amendment would create special permits available on the Development Site, which would be mapped as an Industrial Business Incentive Area. The Development Site, consisting of the entirety of Tax Block 2282, is zoned M1-2 and is also located within the Greenpoint-Williamsburg Industrial Business Zone[4] (the "Greenpoint-Williamsburg IBZ"), as detailed above and shown in **Figure A-3**.

The Project Area was rezoned in 2005 from M3-1 to the present M1-2 zoning district as part of the Greenpoint-Williamsburg Rezoning. The Zoning Text Amendment will incentivize the construction of commercial and/or manufacturing buildings that allocate a portion of their floor area to certain light industrial uses in Use Groups 11A, 16A, 16B, 17B, and 17C, as specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries (Use Group 18A) as listed in Section 42-15 (collectively, "Required Industrial Uses"). To incentivize construction of Required Industrial Uses, the Text Amendment will allow additional floor area devoted to Incentive Uses, which are defined as all uses permitted by the underlying M1-2 district on an as-of-right basis; however, the following uses would not be permitted uses: transient hotels in Use Group 5, as specified in Section 32-14; uses in Use Groups 6A and 6C as specified in Section 32-15; uses in Use Group 7A as specified in Section 32-16; uses in Use Group 8C as specified in Section 32-17; uses in Use Group 10A and any retail spaces accessory to wholesale offices or showrooms, with storage restricted to samples in Use Group 10, as specified in Section 32-19; uses in Use Groups 12 and 13 as specified in Sections 32-21 and 32-22; and moving or storage offices with no limitation as to storage or floor area per establishment, packing or crating establishments, and warehouses as specified in Section 32-25 ("Incentive Uses"). For projects that devote one square foot of floor area to Required Industrial Uses, the proposed zoning allows a 3.5 square

[4] As detailed in **Attachment C, "Land Use, Zoning and Public Policy,"** the Greenpoint-Williamsburg IBZ covers over twenty blocks (or portions thereof) on the border of the Greenpoint and Williamsburg neighborhoods, and is generally bordered by Kent Avenue/Franklin Street to the west, Calyer Street and Meserole Avenue to the north, Banker, Dobbin, and Guernsey Streets to the east, and Nassau Ave/Berry Street and North 12th and North 13th Streets to the south. IBZs offer various incentives to prevent industrial uses from relocating outside of the City and represent a commitment by the City not to rezone these areas for residential uses. Within an IBZ, Industrial Business Solutions Providers offer industrial firms guidance accessing appropriate financial and business assistance programs, navigating and complying with regulatory requirements, developing workforces, and ensuring the neighborhood is well-maintained. The Industrial Business Solutions Provider for the North Brooklyn IBZ is Evergreen: Your North Brooklyn Business Exchange.

foot increase in maximum allowable floor area beyond the 2.0 floor area ratio limitation on commercial and industrial uses of the underlying M1-2 district, provided that such development or enlargement does not include a transient hotel.

By allowing Required Industrial Uses and Incentive Uses to occupy floor area beyond that permitted by the M1-2 use limitations, the Zoning Text Amendment seeks to diversify the economic base within the Project Area and to increase employment opportunities.

The Proposed Development is expected to be completed in late 2017 with occupancy in 2018. Without discretionary approval, 19 Kent Acquisition LLC would construct an as-of-right primarily community facility building on the Development Site. On August 6, 2014, pursuant to New Building Permit No. 320591944, the Development Site was granted approval by the New York City Department of Buildings (NYC DOB) to construct an 11-story commercial and community facility office building containing 605,536 gsf (383,040 zsf), including 1,100 parking spaces. This building, which is permitted as-of-right by the underlying M1-2 district, would rise to a height of 157 feet above curb level. On February 20, 2014, pursuant to Demolition Permit No. 320961562, the Development Site was granted approval to begin site clearance. On August 6, 2014, pursuant to New Building Permit No. 320591944, the Development Site was granted approval to begin construction of the foundations for this building. Construction of the foundations is expected to begin in early 2016. Site clearance has been completed and 19 Kent Acquisition LLC intends to start excavation, foundation work, and site remediation in early 2016.

This attachment provides a summary and description of the proposed project and its associated reasonable worst-case development scenario (RWCDS), including existing conditions of the area affected by the proposed project, purpose and need for the Proposed Action, description of the Proposed Action and associated development scenario, and the discretionary approvals required.

II. BACKGROUND AND EXISTING CONDITIONS

Description of the Development Site

The approximately 80,000 sf Development Site is comprised of a single tax lot (Lot 1) that occupies an entire block (Block 2282) in the North Side neighborhood of Williamsburg, Brooklyn (see **Figure A-1**). The Development Site is located one block east of the East River waterfront blocks and is bounded by Kent Avenue to the west, North 13th Street to the north, Wythe Avenue to the east, and North 12th Street to the south.

The Development Site has historically been used for manufacturing and industrial purposes and is vacant. Until recently, it was occupied by open temporary parking, storage uses, and a construction equipment rental operation. As shown in **Figure A-2**, the Development Site is currently being developed as-of-right in accordance with the M1-2 regulations. The Development Site is currently enclosed by construction fencing, and the site is cleared. Foundation work is expected to begin in early 2016 for the planned as-of-right development.

The Development Site (zoned M1-2) is located within the 175-block area rezoned in the 2005 Greenpoint-Williamsburg Rezoning. M1 districts are often buffers between M2 and M3 districts and adjacent to residential or commercial districts. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels, and most retail uses are also permitted. Certain community uses, such as ambulatory care facilities, are allowed in M1 districts, and houses of worship are permitted as-of-right. M1-2 districts allow maximum FAR of 2.0 for manufacturing and commercial uses and up to 4.8 for community facility uses, and building height and setbacks are

controlled by a sky exposure plane. Within M1-2 districts, off-street parking is required and varies by use. Prior to the Greenpoint-Williamsburg Rezoning, the Development Site was zoned M3-1.

Description of the Surrounding Area

The Development Site is located on the northern edge of the Williamsburg Northside neighborhood; the neighborhood of Greenpoint is located to the north. This area is characterized by a wide variety of industrial, commercial, and residential land uses and various building types. In addition to its mix of uses and built character, the surrounding area is defined by its proximity to large public open spaces. Areas to the south, north and east of the Development Site are mapped with Greenpoint-Williamsburg Special Mixed Use Districts (MX-8). The Greenpoint-Williamsburg Special Mixed Use Districts were established in 2005 to encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses in close proximity and create expanded opportunities for new mixed-use communities. New residential and non-residential uses (commercial, community, facility, and light industrial) can be developed as-of-right and can be located side-by-side or within the same building in MX districts. The area to the east of the Development Site is zone M1-1, which permits light manufacturing/industrial uses, a range of commercial uses, and community facility uses by special permit; and the area to the west of the Development Site is mapped parkland (part of the future phases of Bushwick Inlet Park). The area designated to become Bushwick Inlet Park (west of Franklin between North 9th and Quay Street) was mapped as parkland as part of the Greenpoint-Williamsburg rezoning in 2005. The City has been proceeding with the phased acquisition, remediation and development of those parcels as park space. The first phase of the park is complete and open to the public and remediation of the 50 Kent parcel recently commenced. The Bayside parcel, which is located directly across from the Development Site, is the subject of a purchase and sale agreement and the City expects to close on the property in 2016. The Greenpoint-Williamsburg Waterfront Action Plan (WAP) was also established as part of the 2005 Greenpoint-Williamsburg Rezoning and became part of the zoning text at that time. The Greenpoint-Williamsburg WAP tailors the public access requirements of waterfront zoning to the specific conditions of a particular waterfront, and identifies the locations of particular access elements. Immediately west of the Development Site is Parcel 20 of the WAP. Parcel 20, along with adjacent Parcels 19, 21, and 22 are designated as public parks under Zoning Resolution Section 62-931(d)(10).

The surrounding Greenpoint-Williamsburg Rezoning area has seen significant changes since 2005, including new hotel, office, and residential development. Immediately south of the Development Site, the Wythe Hotel (at 75 North 11th Street) opened in 2012, and Amazon recently developed a 40,000 sf photo studio and office space at 35 Kent Avenue. Other developments in the immediate area include the Vice Magazine offices at 99 North 10th Street and a residential building at 34 Berry Street (constructed in 2008); a 21-story hotel is currently under construction immediately east of the Development Site (at 55 Wythe Avenue); and an eight-story hotel currently under construction at 97 Wythe Avenue (two blocks south of the Development Site). These new developments are interspersed with existing light manufacturing uses typical of mixed-use districts, including Albest Metal Stamping at 1 Kent Avenue and Star Poly Bag, Inc. at 94 North 13th Street. Ground floor retail is also interspersed throughout the surrounding area.

To facilitate creation of this future waterfront park, portions of several streets to the west of the Development Site were demapped in conjunction with the 2005 Greenpoint-Williamsburg Rezoning. The resultant parcel was mapped as Bushwick Inlet Park bounded by North 7th Street to the south, Kent Avenue/Franklin Street to the east, Quay Street to the north, and the U.S. Pierhead Line to the west. While it is intended that this park be developed at some point in the future, the site is currently occupied by predominantly industrial and storage uses, and only a portion of the area has been developed into public parkland. The City has been proceeding with the phased acquisition, remediation and development of those parcels as park space. Sites acquired include Bushwick Inlet (Block 2301), Bayside Fuel (1

North 12th Street), and 50 Kent Avenue (Block 2287, Lot 1). The first phase of the park is complete and open to the public and remediation of the 50 Kent parcel recently commenced. The Bayside parcel, which is located directly across from the project site, is the subject of a purchase and sale agreement and the City expects to close on the property in 2016. East River State Park occupies the area between North 7th and North 9th Street, and Bushwick Inlet Park currently occupies the area between North 9th and North 10th Street and the eastern portion of the block bounded by North 11th and North 12th Street and Kent Avenue. Another significant public open space is McCarren Park which lies on the border of Greenpoint and Williamsburg, one block east of the Development Site.

Area Transportation

The area surrounding the Development Site is served by several public transit options. The Nassau Avenue G subway station (to the northeast at the intersection of Nassau and Manhattan Avenues) and the Bedford Avenue L subway station (to the south at the intersection of Bedford Avenue and North 7th Street) are both located approximately 0.5 miles from the Development Site. In addition, the B32 (connecting Williamsburg Bridge Plaza and Long Island City) runs along Kent and Wythe Avenues, the B62 (connecting Downtown Brooklyn/Fulton Mall and Long Island City) runs along Bedford and Driggs Avenues, and the B43 (connecting Lefferts Gardens/Prospect Park and Greenpoint) runs along Manhattan Avenue. The B32 also makes a wide variety of local bus connections along the Broadway commercial corridor in Brooklyn, including connections with the B24, B39, B46, B60, B62, Q54 and Q59 bus lines. The North Williamsburg stop on the East River Ferry route is located less than 0.5 miles to the south of the Development Site at the western terminus of North 5th Street. Taken together, these transit options provide access to the Project Area from much of north Brooklyn and beyond.

III. PROPOSED PROJECT

Actions Necessary to Facilitate the Proposed Development

As described above, the Proposed Development requires the following approvals from the CPC:

- A Zoning Text Amendment to create Section 74-96 of the Zoning Resolution. The proposed Zoning Text Amendment would establish and map an Industrial Business Incentive Area. Additionally, the Zoning Text Amendment would create special permits that would be available to properties within the defined boundaries of the Industrial Business Incentive Area. The newly created special permits would allow modifications to the use, bulk, and accessory off-street parking and loading requirements of the existing zoning district through a series of findings and conditions that are required for the special permit application (described in detail below). The Industrial Business Incentive Area for this project, created by the proposed Zoning Text Amendment, would consist only of the one block that comprises the Development Site. NYCDCP will be acting as a co-applicant for the Zoning Text Amendment, but is not a co-applicant for the two special permit applications described below.
- A special permit pursuant to ZR Section 74-962 (Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Areas) to allow a change of uses within the maximum 4.8 FAR that is permitted under existing zoning for community facility uses. The Zoning Text Amendment would incentivize the construction of commercial and/or manufacturing buildings that allocate a portion of their floor area to certain light industrial uses in Use Groups 11A, 16A, 16B, 17B, and 17C, as specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries (Use Group 18A) as listed in Section 42-15 (collectively, "Required Industrial Uses"). To incentivize construction of Required Industrial Uses, the Zoning Text Amendment would allow additional floor area devoted to Incentive Uses. "Incentive Uses" are all uses permitted by the underlying M1-2 district, with the following exceptions: transient hotels in Use Group 5 (as specified

in Section 32-14); uses in Use Groups 6A and 6C (as specified in Section 32-15); uses in Use Group 7A (as specified in Section 32-16), uses in Use Group 8C (as specified in Section 32-17); uses in Use Group 10A and any retail spaces accessory to wholesale offices or showrooms, with storage restricted to samples in Use Group 10B (as specified in Section 32-19); uses in Use Groups 12 and 13 (as specified in Sections 32-21 and 32-22); and moving or storage offices with no limitation as to storage or floor area per establishment, packing or crating establishments, and warehouses (as specified in Section 32-25). For projects that devote one square foot of floor area to Required Industrial Uses, the proposed zoning allows a 3.5 square foot increase in maximum allowable floor area beyond the 2.0 FAR limitation on commercial and industrial uses of the underlying M1-2 district if certain design, envelope and urban design findings are met, and provided that such development or enlargement does not include a transient hotel. This results in a ratio of 1 square foot of Required Industrial Use for every 2.5 square feet of Incentive Use. In no event may the resulting FAR exceed the maximum 4.8 FAR permitted in the M1-2 district. The Proposed Development would provide sufficient Required Industrial Uses to capture the full 2.0 FAR available, though the Proposed Development would consist of 4.75 FAR. As the special permit pursuant to ZR Section 74-962 is new, this application would be the first to seek this action.

- A special permit pursuant to ZR Section 74-963 (parking and loading modifications in Industrial Business Incentive Areas) to modify the number of loading berths and parking spaces required for the Proposed Development pursuant to the existing M1-2 zoning. The Proposed Development would provide three loading docks and a 275-space below-grade parking garage to satisfy the anticipated on-site demand. As the special permit pursuant to ZR Section 74-963 would be created as a result of the proposed Zoning Text Amendment, this site is the first site to apply for this special permit.

Each of the requested actions is described in more detail below.

Zoning Text Amendment

The Zoning Text Amendment would establish and map an Industrial Business Incentive Area on the Development Site. Additionally, the Zoning Text Amendment would create special permits that would be available to properties within the defined boundaries of the Industrial Business Incentive Area. As noted above, the Industrial Business Incentive Area for this proposal includes only the Development Site. The intent of the Zoning Text Amendment is to encourage the development of a building with a desirable floor area mix of commercial and Required Industrial Uses. The special permits will allow the modification of the use, bulk, parking, and loading regulations on the Development Site. NYCDCP is a co-applicant on the proposed Zoning Text Amendment.

In addition to the 2.0 FAR of commercial and/or manufacturing floor area allowed as-of-right in M1-2 zoning districts, the proposed zoning will allow an additional 3.5 square feet of floor area for every one square foot of additional floor area devoted to Required Industrial Uses. However, transient hotels (Use Group 5) would be restricted in developments availing themselves of this special permit.. The special permits will also allow for the modification of parking and loading requirements to enable buildings to better maximize their site potential for a proposed mix of uses.

The Zoning Text Amendment is a mechanism to create opportunities for uses that have limited siting opportunities. By incentivizing the Required Industrial Uses, the Zoning Text Amendment and the resulting special permits intend to maintain the light industrial and manufacturing character of the area, while allowing a mix of other uses that are permitted on an as-of-right basis within the existing M1-2 zoning district.

The following provides an overview of the proposed Zoning Text Amendment:

Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas
For developments or enlargements on zoning lots located within any Industrial Business Incentive Area specified in ZR Section 74-96, CPC may increase the maximum permitted floor area ratio and modify the use, bulk and public plaza regulations as set forth in Section 74-962 (Floor area increase and public plaza modifications in Industrial Business Incentive Areas). The Commission may also modify parking and loading requirements for such developments or enlargements pursuant to Section 74-963 (Parking and loading modifications in Industrial Business Incentive Areas).

For developments or enlargements receiving a floor area increase pursuant to this Section, Section 43-20 (Yard Regulations), inclusive, shall be modified as follows: rear yard regulations shall not apply to any development or enlargement on a through lot.

Industrial Business Incentive Areas Specified:

Community District 1, Brooklyn: In the M1-2 District located within the area shown in **Figure A-3**. This area comprises the block bounded by North 12th Street, Kent Avenue, North 13th Street and Wythe Avenue (the Development Site).

Definitions
As described in 74-961, "Definitions," for the purposes of Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas), inclusive, a "required industrial use" and an "incentive use" shall be defined as follows:

Required Industrial Use
A "required industrial use" is a use that helps achieve a desirable mix of commercial and manufacturing uses in an Industrial Business Incentive Area, and that generates additional floor area pursuant to provisions set forth in Section 74-962 and is:

- listed in Use Groups 11A, 16A excluding "animal hospitals and kennels" and "animal pounds or crematoriums," 16B, 17B and 17C, as specified in Sections 32-20 (Use Group 11), 32-25 (Use Group 16) and 42-14 (Use Group 17); and
- "beverages, alcoholic or breweries" as listed in Section 42-15 (Use Group 18A), where permitted by the provisions of the applicable zoning district, provided the applicable performance standards pursuant to Section 42-20 are met.

Incentive Use
An "Incentive Use" is a use permitted by the applicable zoning district that is allowed to occupy the additional floor area generated by a required industrial use, with the exception of:

- Transient hotels in Use Group 5, as specified in ZR Section 32-14 (Use Group 5);
- Uses in Use Groups 6A or 6C as specified in ZR Section 32-15 (Use Group 6);
- Uses in Use Group 7A as specified in ZR Section 32-16 (Use Group 7);
- Uses in Use Group 8C as specified in ZR Section 32-17 (Use Group 8);
- Uses in Use Group 10A and any retail spaces accessory to "wholesale offices or showrooms, with storage restricted to samples" in Use Group 10B as specified in ZR Section 32-19 (Use Group 10);
- Uses as specified in ZR Sections 32-21 (Use Group 12) and 32-22 (Use Group 13); and,
- Moving or storage offices with no limitation as to storage or floor area per establishment, as well as packing or crating establishments and warehouses as specified in ZR Section 32-25 (Use Group 16).

Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Areas

As described in 74-962, "Floor area increase and public plaza modifications in Industrial Business Incentive Areas," the Commission may increase the maximum FAR on a zoning lot in Industrial Business Incentive Areas, in accordance with **Table A-1**, below.

For developments or enlargements in the district indicated in Column A (Zoning District), the base maximum floor area ratio on a zoning lot (Column B, "Base Maximum Floor Area") may be increased by 3.5 square feet for each square foot of Required Industrial Uses up to the maximum floor area ratio for all uses on the zoning lot (Column E, "Maximum Floor Area Ratio for All Uses"), provided that such development or enlargement does not include a transient hotel, and that such additional floor area is occupied by Required Industrial Uses and incentive uses up to the maximum floor area ratio set forth in Column C ("Maximum Additional Floor Area Ratio for Required Industrial Uses"), and Column D ("Maximum Additional Floor Area Ratio for Incentive Uses"), respectively.

Table A-1: Floor Area Increase Permitted in Industrial Business Incentive Areas

(A) Zoning District	(B) Base Maximum Floor Area Ratio	(C) Maximum Additional Floor Area Ratio for Required Industrial Uses	(D) Maximum Additional Floor Area Ratio for Incentive Uses	(E) Maximum Floor Area Ratio for All Uses
M1-2	2.0	0.8	2.0	4.8

For such developments or enlargements that, pursuant to ZR Section 74-962, increase their permitted floor area, and provide a public plaza, the Commission may also increase the maximum height of such development or enlargement and may modify the requirements for public plazas set forth in Section 37-70, "Public Plazas."

Application Requirements

Applications for such floor area increases and modifications are subject to the application requirements set forth in ZR Section 74-962(a), which are described below:

(1) Site plans and elevations which shall establish distribution of floor area, height and setback, sidewalk widths, primary business entrances, including parking and loading, yards and public plazas, signage and lighting;

(2) Floor plans of all floors which shall establish the location, access plan and dimensions of freight elevators and loading areas and the location of floor area dedicated to required industrial uses and incentive uses;

(3) Drawings that show, within a 600-foot radius, the location and type of uses; the location, dimensions and elements of off-site open areas including streets, waterfront and upland parcels; elements of a Waterfront Access Plan (as applicable), and the location of street trees and street furniture and any other urban design elements. The plans shall demonstrate that any public plaza provided meets the requirements set forth in Sections 74-962(b)(5); and

(4) For zoning lots in flood zones, flood protection plans, which shall show base flood elevations (BFEs) and advisory BFEs (ABFEs), as applicable, location of mechanical equipment, areas for storage of any hazardous materials and proposed structural or design elements intended to mitigate the impacts of flood and storm events.

Conditions

The following conditions are applicable, as described in ZR Section 74-962(b):

(1) Minimum amount of required industrial uses

Required industrial uses shall occupy a minimum of 5,000 sf of horizontally contiguous floor area and shall be served by loading areas and freight elevators with sufficient capacity.

(2) Minimum sidewalk width

All developments and horizontal enlargements that front upon a street line shall provide a sidewalk with a minimum width of 15 feet along the entire frontage of the zoning lot. Such sidewalk, and any open area on the zoning lot required to meet such minimum width, shall be improved as a sidewalk to Department of Transportation standards; shall be at the same level as the adjoining public sidewalk; and shall be accessible to the public at all times. For the purposes of applying the street wall location requirements and the height and setback regulations of paragraph (b)(3) of Section 74-962, any sidewalk widening line shall be considered to be the street line.

(3) Height and setback

The height and setback regulations of the applicable zoning district shall apply as modified by the following:

(i) The street wall of any building shall be located on the street line and shall extend to a height not lower than a minimum base height of 40 feet and not higher than a maximum base height of 75 feet or the height of the building, whichever is less. At least 70 percent of the aggregate width of such street wall below 12 feet shall be located at the street line and no less than 70 percent of the aggregate area of the street wall up to the base height shall be located at the street line. However, up to a width of 130 feet of such street wall located on the short end of the block may be set back from the street line to accommodate a public plaza.

(ii) The height of a building or other structure, or portion thereof, located within ten feet of a wide street or within 15 feet of a narrow street shall not exceed a maximum base height of 75 feet. Permitted obstructions as set forth in Section 43-42 (Permitted Obstructions) shall be modified to include dormers above the maximum base height within the front setback area, provided that on any street frontage, the aggregate width of all dormers at the maximum base height does not exceed 50 percent of the street wall and a maximum height of 110 feet. Beyond ten feet of a wide street and 15 feet of a narrow street, the height of a building or other structure shall not exceed a maximum building height of 110 feet. All heights shall be measured from the base plane. Where a public plaza is provided pursuant to Section 74-962(b)(5), such maximum building height may be increased to 135 feet.

(iii) Along the short dimension of a block, up to 130 feet of such street wall may be set back from the street line to accommodate a public plaza, and a street wall located at the street line that occupies not more than 40 percent of the short end of the block may rise without setback to the maximum building height.

(4) Ground floor design

(i) The ground floor level street walls and ground floor level walls fronting on a public plaza of a development or horizontal enlargement shall be glazed with transparent materials which may include show windows, transom windows or glazed portions of doors. Such transparent materials shall occupy at least 50 percent of the surface area of such street wall, measured between a height of two feet above the level of the adjoining sidewalk or public plaza and a height of 12 feet above the level of the first finished floor above curb level. The floor level behind such transparent materials shall not exceed the level of the window sill for a depth of at least four feet, as measured perpendicular to the street wall. The ground floor transparency requirements of Section 74-962(b)(4)(i) shall not apply to uses listed in Use Groups 11, 16, 17 and 18, or to accessory loading berths or garage entrances; or

(ii) For zoning lots within flood hazard areas, in lieu of the requirements of Section 74-962(b)(4)(i) of the proposed zoning text, the provisions of Section 64-22 (Transparency Requirements) shall apply; and

(iii) For any street wall widths greater than 40 feet in length that do not require glazing as specified in Section 74-962(b)(4)(i) or Section 74-962(b)(4)(ii) of the proposed zoning text, as applicable, the facade, measured between a height of two feet above the level of the adjoining sidewalk and a height of 12 feet above the level of the first finished floor above curb level, shall incorporate design elements, including lighting and wall art, or physical articulation.

(5) Public Plazas

A public plaza shall contain an area of not less than 12 percent of the lot area of the zoning lot and minimum of at least 2,000 square feet in area. All public plazas shall comply with the provisions set forth in Section 37-70, inclusive, except certification requirements of Sections 37-73 (Kiosks and Open Air Cafes) and 37-78 (Compliance) shall not apply.

(6) Signs

(i) In all Industrial Business Incentive Areas, signs are subject to the regulations applicable in C6-4 Districts as set forth in Section 32-60, inclusive. Information signs provided pursuant to paragraph (b)(6)(ii) of ZR Section 74-962 shall not count towards the maximum permitted surface area regulations of Section 32-64 (Surface Area and Illumination Provisions), inclusive.

(ii) An information sign shall be provided for all buildings that are developed enlarged or converted. Such required signs shall be mounted on an exterior building wall adjacent to and no more than five feet from all primary entrance of the building. The sign shall be placed so that it is directly visible, without any obstruction, to persons entering the building, and at a height no less than four feet and no more than five and a half feet above the adjoining grade. Such sign shall be legible, no less than 12 inches by 12 inches in size and shall be fully opaque, non-reflective and constructed of permanent, highly durable materials. The information sign shall contain: the name and address of the building in lettering no less than three-quarters of an inch in height; and the words in lettering no less than one-half of an inch in height, "This building is subject to Industrial Business Incentive Area (IBIA) regulations which require a minimum amount of space to be provided for specific industrial uses." The information sign shall include the Internet URL, or other widely accessible means of electronically transmitting and displaying information to the public, where the information required in paragraph (e) of ZR Section 74-962 is available to the public.

Findings

Applications for such floor area increases and modifications are subject to the findings set forth in ZR Section 74-962(c). As described therein, in order to grant an increase in the maximum permitted floor area ratio and modification of public plaza regulations, the Commission shall find that such increase or modification:

(1) Will promote a beneficial mix of required industrial and incentive uses;

(2) Will result in superior site planning, harmonious urban design relationships and a safe and enjoyable streetscape;

(3) Will result in a building that has a better design relationship with surrounding streets and adjacent open areas;

(4) Will result in a development or enlargement that will not have an adverse effect on the surrounding neighborhood; and

(5) Any modification of the public plaza requirements will result in a public plaza of equivalent or greater value as a public amenity.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

Recordation

As set forth in ZR Section 74-962(d), "Recordation," a Notice of Restrictions, the form and content of which shall be satisfactory to the CPC, for a building containing use restrictions or requirements, as applicable, pursuant to this section, shall be recorded against the subject tax lot in the Office of the City Register or, where applicable, in the County Clerk's office in the county where the lot is located.

The filing and recordation of such Notice of Restrictions shall be a precondition to the issuance of any building permit utilizing the provisions set forth in Section 74-962(d). The recording information shall be referenced on the first certificate of occupancy to be issued after such notice is recorded, as well as all subsequent certificates of occupancy, for as long as the restrictions remain in effect.

Notification

No later than the first day of each quarter of the year, the owner of a building subject to use restrictions pursuant to ZR Section 74-962(e) shall provide the following information at the designated Internet URL, or other widely accessible means of electronically transmitting and displaying information to the public pursuant to paragraph (b)(6)(ii) of ZR Section 74-962. Such electronic information source shall be accessible to the general public at all times and include the information specified below:

(1) the date of the most recent update of this information;

(2) total floor area of the required industrial uses in the development;

(3) a digital copy of all approved special permit drawings pursuant to paragraph (a), inclusive, of ZR Section 74-962;

(4) the name of each business establishment occupying floor area for required industrial uses. Such business establishment name shall include that name by which the establishment does business and is known to the public. For each business establishment, the amount of floor area, the Use Group, subgroup and specific use as listed in the Zoning Resolution shall also be included; and

(5) contact information, including the name of the owner of the building and the building management entity, if different; the name of the person designated to manage the building; and the street address, current telephone number and e-mail address of the management office. Such names shall include the names by which the owner and manager, if different, do business and are known to the public.

(f) Compliance

Failure to comply with a condition or restriction in a special permit granted pursuant to ZR Section 74-962 or with approved plans related thereto, shall constitute a violation of the Zoning Resolution and may constitute the basis for denial or revocation of a building permit or certificate of occupancy, or for a revocation of such special permit, and for the implementation of all other applicable remedies.

Parking and loading modifications in Industrial Business Incentive Areas

As described in Section 74-963, in association with an application for a special permit for developments or enlargements pursuant to Section 74-962 (Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Areas), CPC may reduce or waive the off-street parking requirements set forth in Section 44-20 (Required Accessory Off-Street Parking Spaces for Manufacturing, Commercial or Community Facility Uses), inclusive, not including bicycle parking, and may also reduce or waive the loading berth requirements as set forth in Section 44-50 (General Purposes), inclusive, provided that the Commission finds that:

(a) Such reduction or waiver will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;

(b) The number of curb cuts provided are the minimum required for adequate access to off-street parking and loading berths, and such curb cuts are located so as to cause minimum disruption to traffic, including vehicular, bicycle and pedestrian circulation patterns;

(c) The streets providing access to the development or enlargement are adequate to handle the traffic generated thereby, or provision has been made to handle such traffic; and

(d) The reduction or waiver of loading berths will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement.

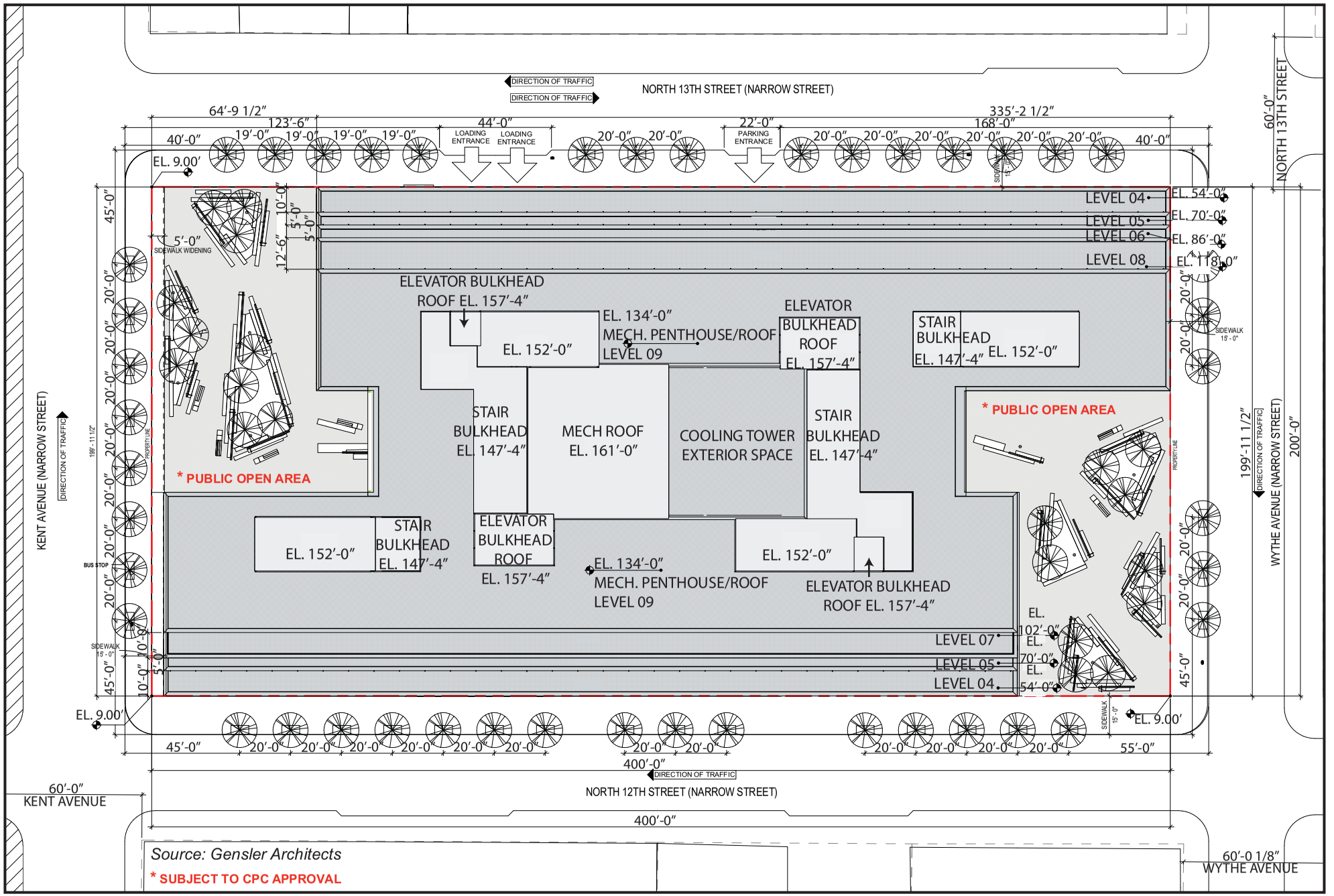
The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

Application of Industrial Business Incentive Areas Elsewhere

The proposed zoning text amendment only applies to the Development Site, as explained above. As was stated during numerous public sessions by Department of City Planning staff, there is no intention of replicating this exact model across industrial neighborhoods Citywide. Any application of a similar industrial requirement mechanism requires site- and neighborhood-specific analysis to determine the appropriateness of use, bulk, envelope, and other conditions. The City Planning Commission notes that ongoing City-sponsored studies, including the North Brooklyn Industry and Innovation Plan and the Emerging Markets and Mixed Industrial Typologies study, both of which are analyzing neighborhood-specific and building-specific industrial and commercial issues, respectively, will be greatly informed by the 25 Kent Avenue development, as well as the public comments and communications garnered through the proposal's ULURP. The outcomes of these two studies will inevitably provide opportunities to discuss new tools for the City's M-districts, including the Greenpoint-Williamsburg IBZ's M1-2 and M1-1 districts. Consequentially, at this time there are no known plans to apply the Zoning Text Amendment to any other areas to create other Industrial Business Incentive Areas. Further, any application seeking to establish a new Industrial Business Incentive Areas would be a discretionary action subject to its own environmental review and public review process.

Proposed Development

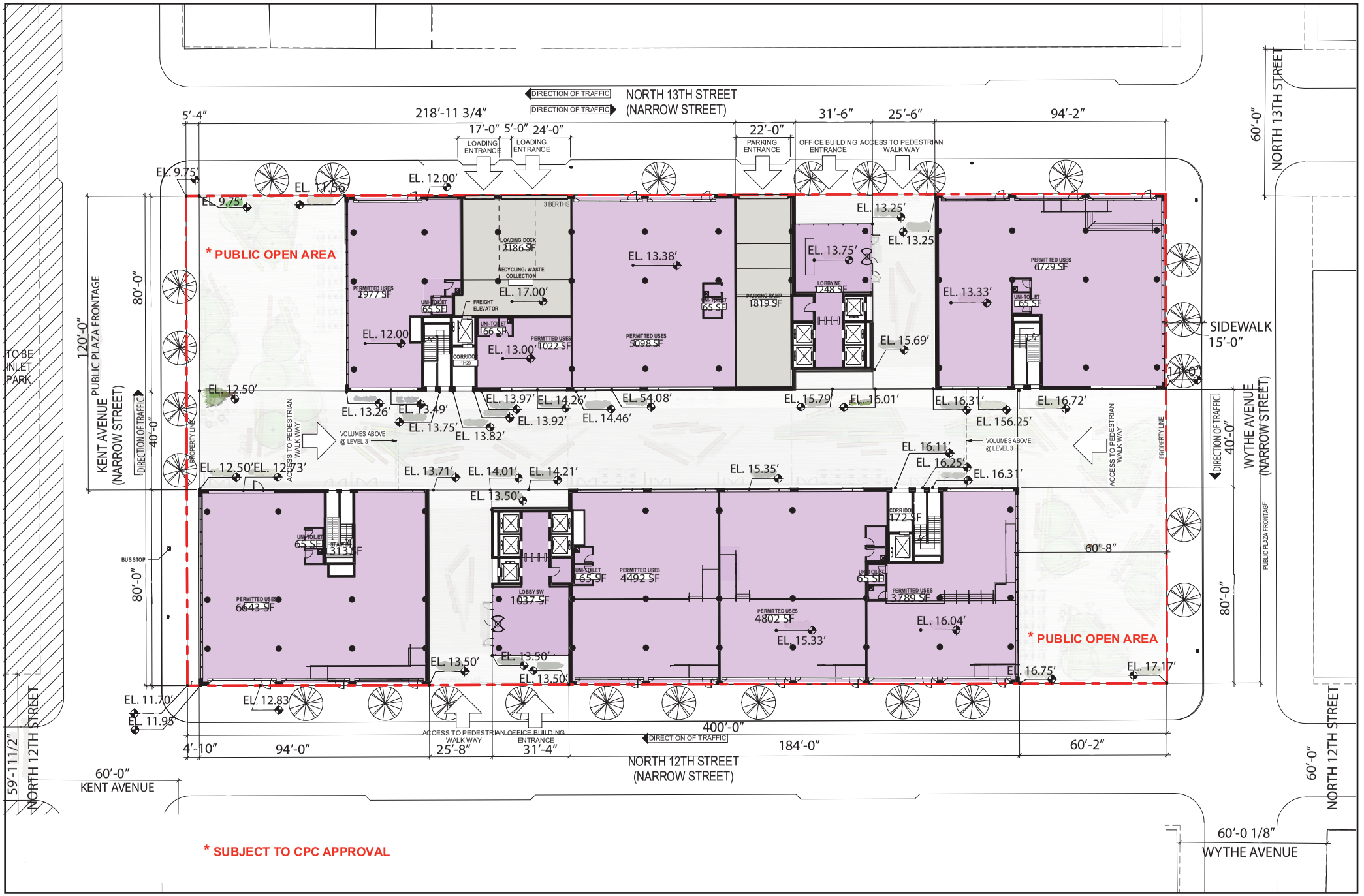
The two requested special permits would facilitate a permit by 19 Kent Acquisition LLC. The proposed project is the redevelopment of the 80,000 sf Development Site with an approximately 485,156 gsf (includes 405,156 gsf above-grade and 80,000 gsf below-grade) primarily commercial office building. The Proposed Development (shown in **Figure A-4**) would consist of eight stories and would be approximately 135 feet tall (excluding rooftop mechanical equipment). The Proposed Development would include approximately 169,768 gsf (159,848 zsf) of Permitted Uses (2.0 FAR), approximately 165,921 gsf (156,535 zsf) of Incentive Uses (1.95 FAR), and approximately 70,722 gsf (63,714 zsf) of Required Industrial Uses (0.8 FAR). The Proposed Development would also provide three loading docks and a 275-



25 Kent Avenue EAS

Figure A-4a

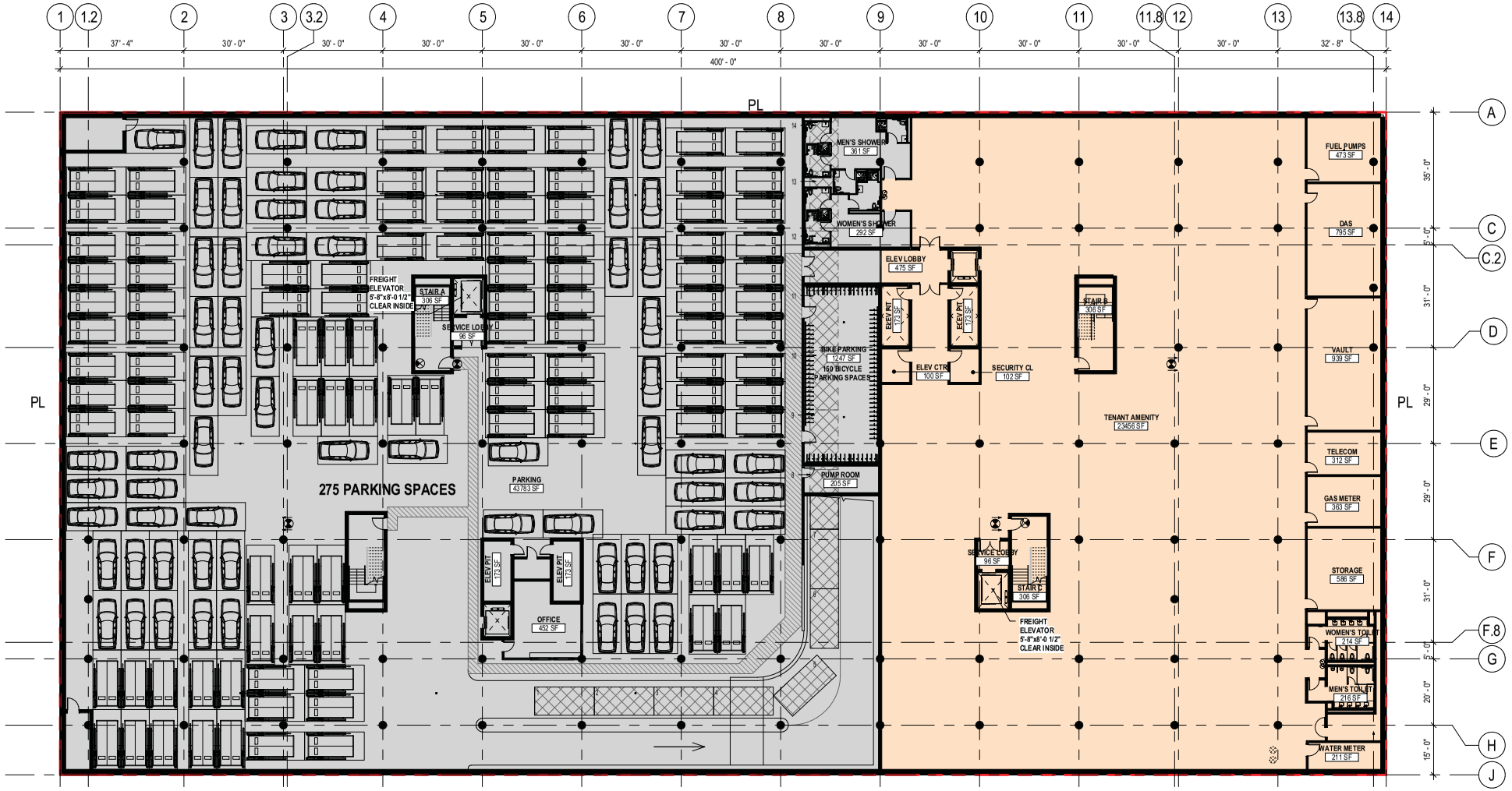
Site Plan



25 Kent Avenue EAS

Figure A-4b

Proposed Development Ground Floor Plan



Source: Gensler Architects

*FOR ILLUSTRATIVE PURPOSES ONLY

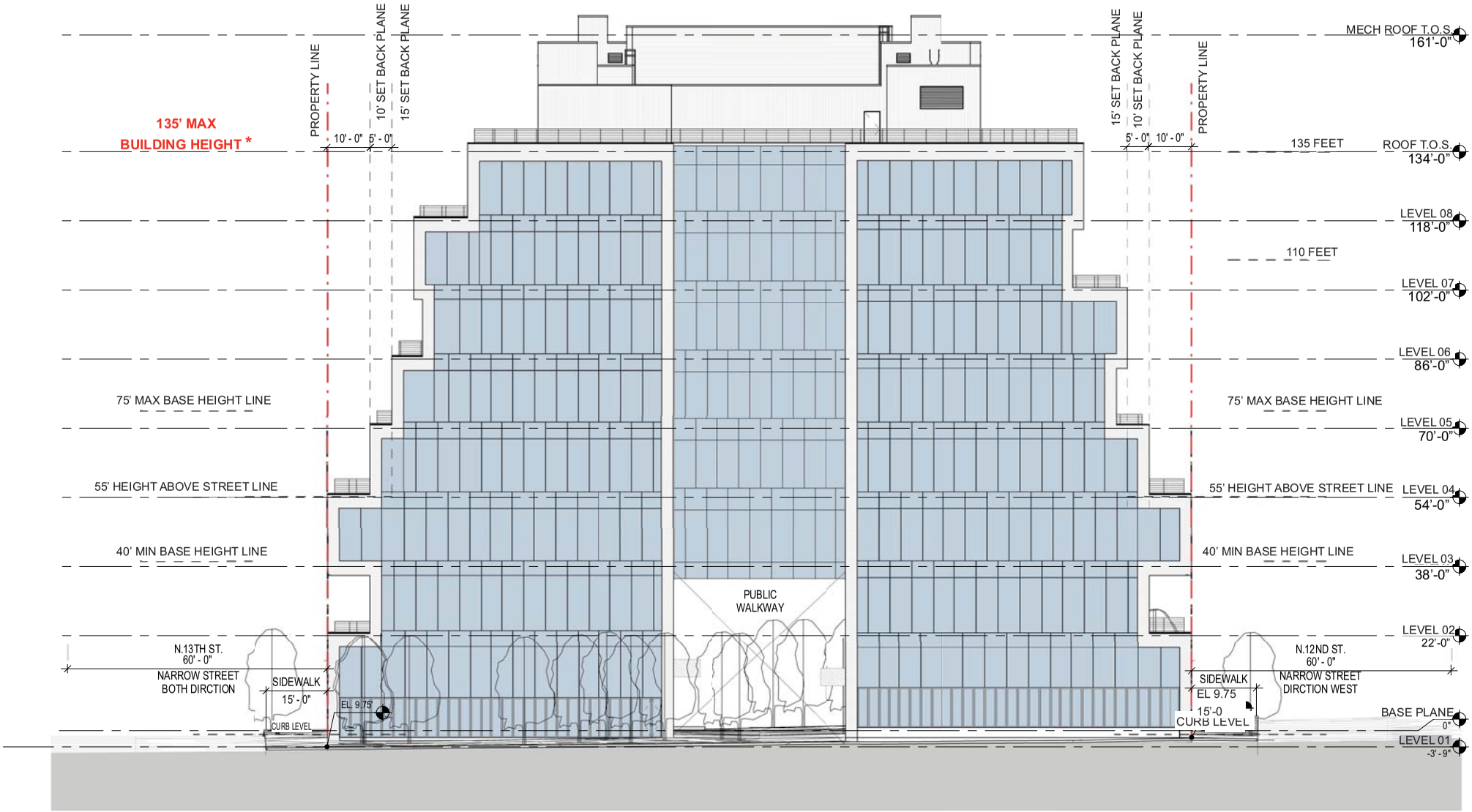
space below-grade parking garage. Additionally, two 7,200 sf public plazas are proposed on opposite corners of the Development Site (one would be located on the north-west corner of Wythe Avenue and North 12th Street and the other would be located on the south-east corner of Kent Avenue and North 13th Street). Finally, an approximately 13,838 gsf covered publicly-accessible pedestrian walkway is proposed on the ground floor approximately midway between North 12th Street and North 13th Street which would provide connectivity east-west through the Development Site. The Proposed Development would have an FAR of 4.75.

The proposed commercial office and Required Industrial Use spaces would be large-footprint above-grade spaces occupying entire floors to be subdivided as needed. It is anticipated that typical tenants would be small scale manufacturing companies (e.g., clothing, jewelry, food production, etc.), consistent with existing trends in the surrounding area. The ground floor retail spaces would have small footprints and would be occupied by local retail uses.

As indicated above, the Proposed Development would include commercial office space, local retail, and Required Industrial Uses (as described above, this could include Use Groups 11A, 16A, 16B, 17B, and 17C, as specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries (Use Group 18A) as listed in Section 42-15). Additionally, the Proposed Development would include approximately 14,400 sf of public plazas located on opposite corners of the Development Site. On the eastern side of the Development Site, an approximately 7,200 sf public plaza would be located on the north-west corner of Wythe Avenue and North 12th Street. On the western side of the Development Site, an approximately 7,200 sf public plaza would be located on the south-east corner of Kent Avenue and North 13th Street. Together these public plazas will be linked by a 40-foot-wide partially covered and publicly-accessible pedestrian walkway located at grade approximately midway between North 12th and North 13th Street, connecting the neighborhood to the anticipated park to the west (see **Figure A-4** and **Figure A-5**). This pedestrian walkway serves as the point of access to the Proposed Development, and includes connections to ground floor retail spaces and lobbies serving upper floors. In addition to entranceways within the public plazas on the east and west sides of the Proposed Development, the pedestrian walkway will have two entrances on the north and south sides of the building: one located approximately 94 feet west of Wythe Avenue along North 13th Street, the second located approximately 94 feet east of Kent Avenue along North 12th Street.

The Proposed Development would provide 15-foot sidewalks bounded by retail uses. The stepped façade of the Proposed Development results in street wall setbacks on North 12th Street and North 13th Street. On North 12th Street, the street wall of the Proposed Development will rise to a minimum base height of 55 feet above curb level before providing a ten foot setback from the street line. The street wall will then rise to 70 feet before providing an additional 7 foot 6 inch setback, before then rising to approximately 86 feet. At 86 feet in height, the street wall will set forward approximately 2 feet 6 inches (resulting in a fifteen foot setback from the street line), then rises to a height of 102 feet before providing an additional 12 foot 6 inch setback. The street wall then rises to a height of 118 feet, and then sets forward by approximately 2 feet 6 inches, before rising to a total building height of 134 feet. No portion of the street wall on North 12th Street within 15 feet of the street line exceeds a maximum building height of 134 feet.

On the North 13th Street façade, the street wall of the Proposed Development rises to a minimum base height of 55 feet above curb level before providing a ten foot setback from the street line, and then the street wall rises to 70 feet before providing an additional 5 foot setback. The street wall then rises to a height of 86 feet, then sets back an additional 7 feet. Above the 7 foot setback, the street wall rises to a height of 102 feet before setting forward 2 feet, then rising to a height of 118 feet, then setting back 12 feet 6 inches, before rising to a total building height of 134 feet. No portion of the street wall on North 13th Street within 15 feet of the street line exceeds a maximum building height of 134 feet. Along both Wythe Avenue and Kent Avenue, the building will provide two 80-foot-wide glazed street walls which

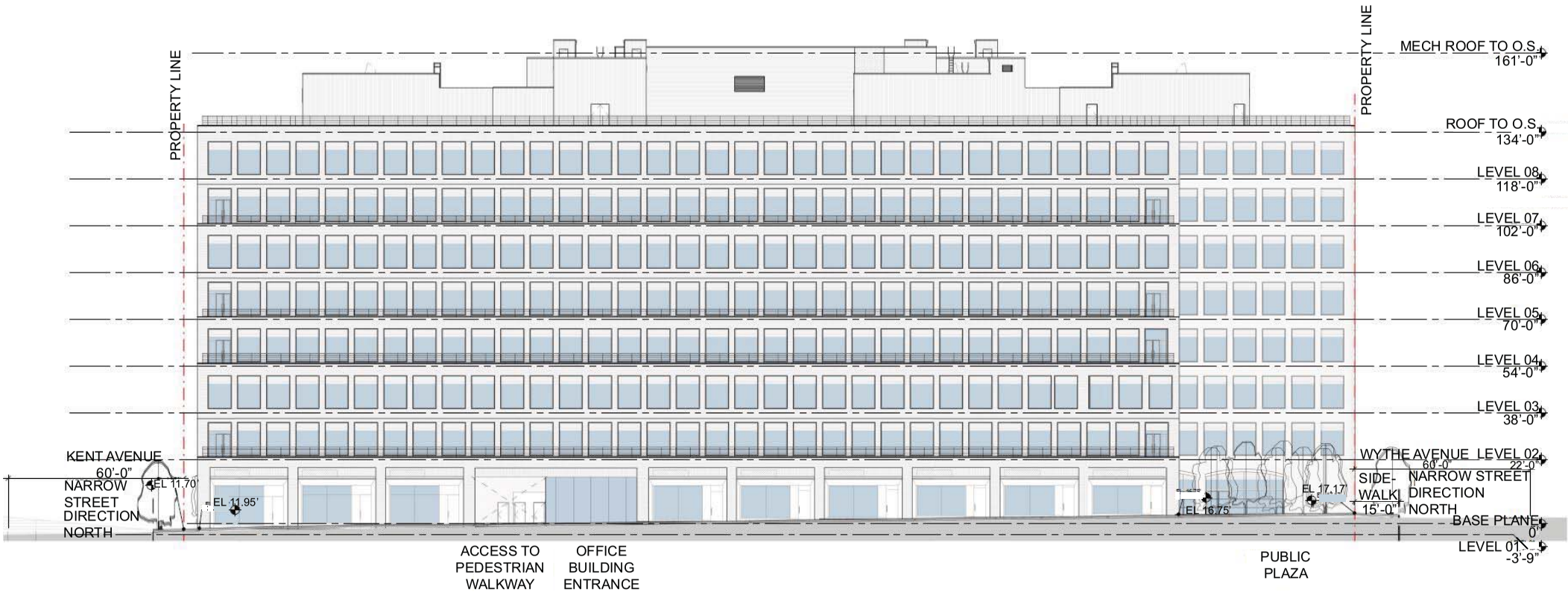


* SUBJECT TO CPC APPROVAL

25 Kent Avenue EAS

Figure A- 5a

Proposed Development- Kent Avenue Elevation



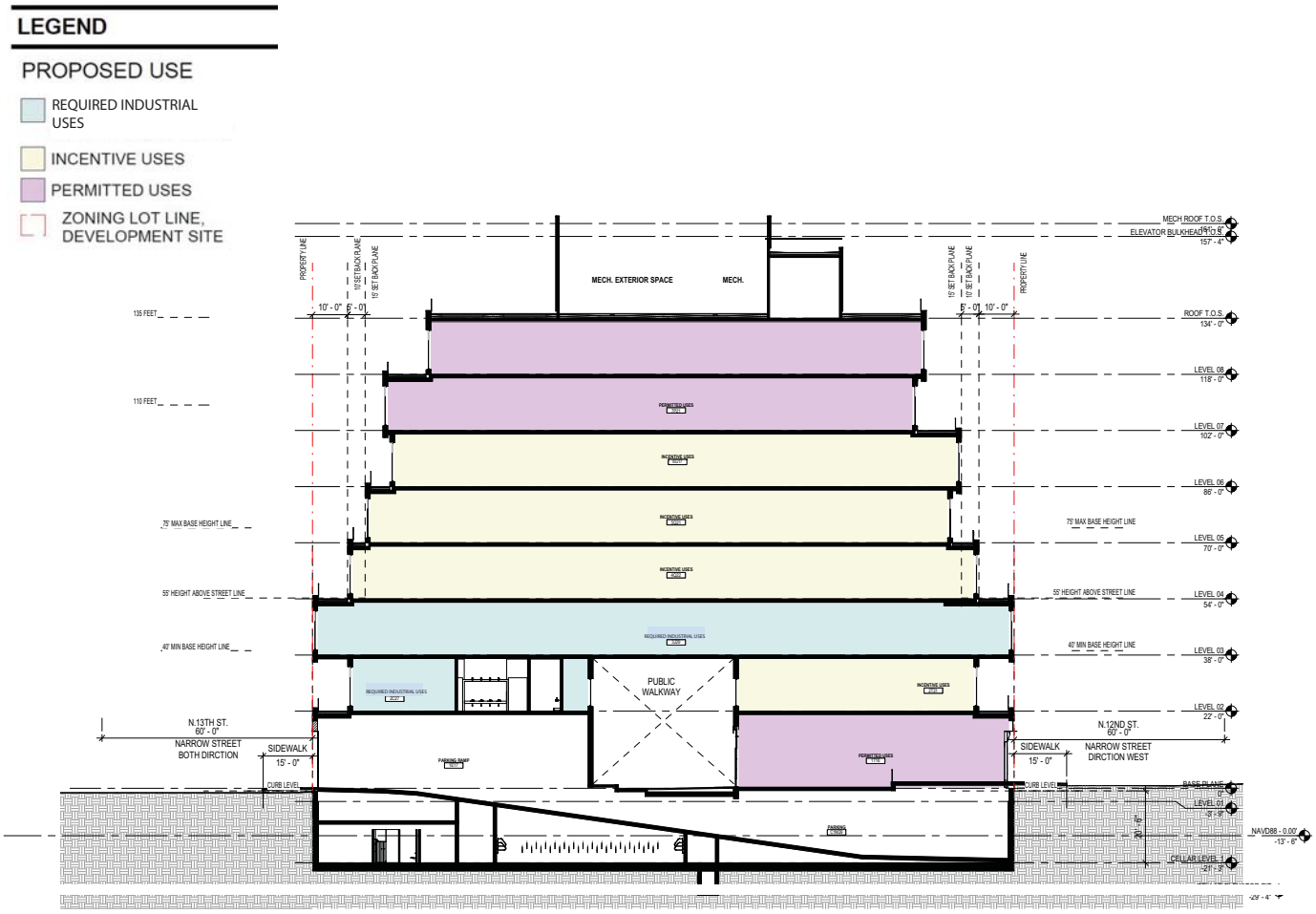
*FOR ILLUSTRATIVE PURPOSES ONLY

25 Kent Avenue EAS

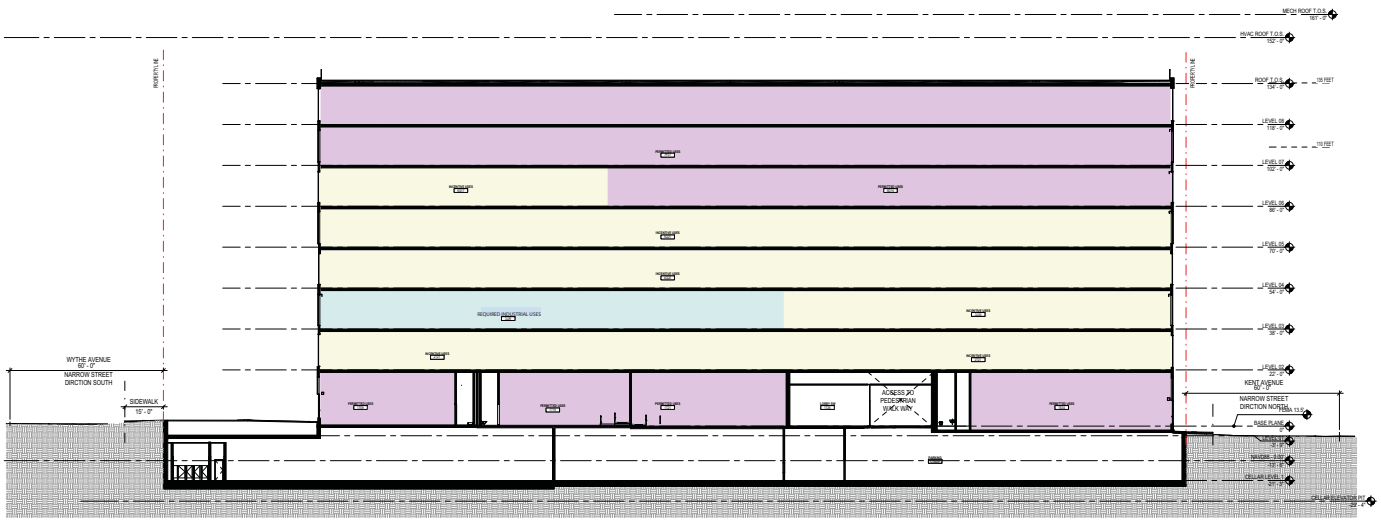
Figure A-5b

Proposed Development – N. 13th Street Elevation

Preliminary Building Sections



Looking east from Kent Avenue.



Looking south from North 13th Street.

Source: Gensler Architects

rise without setback to the Proposed Development's maximum height of 134 feet. Along each of Wythe Avenue and Kent Avenue, one of the 80-foot-wide street walls (40 percent of the 200 foot wide short end of the block) will be located at the street line, and one is set back by approximately 64 feet 10 inches from Kent Avenue, and 60 feet two inches from Wythe Avenue, to accommodate a public plaza. The two 80-foot-wide street walls will be separated by a 40-foot-wide, partially covered pedestrian corridor. Along each of North 12th Street and North 13th Street, the street wall will be set back by 80 feet to accommodate the Wythe Avenue Plaza and the Kent Avenue Plaza.

As indicated above, the Proposed Development also includes 275 attended accessory parking spaces. Additionally, 150 bicycle parking spaces will be provided in the cellar initially, although only 39 spaces are required. Up to 300 bicycle parking spaces can be accommodated should demand require them. Access to the parking level would be located on North 13th Street, approximately halfway between Wythe Avenue and Kent Avenue. The Proposed Development would also include three accessory loading berths located on North 13th Street adjacent to the parking garage entrance.

The Proposed Development has been designed to resist flooding. The foundation, consisting of a fully-waterproofed "bathtub" type reinforced concrete mat and walls, and supplemented by tie-down anchors where needed, will resist hydrostatic uplift forces using the weight of its own superstructure. In addition, the portion of the Proposed Development that falls within flood zones, located at the northwest corner of the Development Site, has been designed to resist flood loads. Finally, mechanical equipment for the Proposed Development will be located off the ground, on the second level and on the roof.

As stated, there is presently a shortage of available commercial office space in the Borough of Brooklyn, Greenpoint and Williamsburg included. This shortage is especially acute for firms seeking large sites.

Compliance with ZR Section 74-96 Conditions

As indicated above, a number of conditions have to be satisfied by the Proposed Development for CPC approval for the modification of use, bulk, parking and loading regulations in Industrial Business Incentive Areas. As described in detail in the ULURP application and as discussed in **Attachment C, "Land Use, Zoning and Public Policy,"** the Proposed Development would satisfy the stated conditions related to the minimum amount of Required Industrial Uses, Minimum Sidewalk Width, Height and Setback, Ground Floor Design, and Signage. However, the two public plazas will comply with all requirements of the public plaza requirements in ZR Section 74-96(b)(5), with the exception of three requirements: (i) ZR Section 37-76(b) (Mandatory Allocation of Frontages for Permitted Uses – Public Entrances; (ii) the Kent Avenue Plaza will not comply with ZR Section 37-713, which prohibits location of a public plaza within 175 feet of an existing publicly accessible open area or public park; and (iii) the open areas adjacent to the plazas will not comply with the ZR Section 37-712 requirement that an adjacent open area must either be separated from the plazas by a buffer, or meet the requirements for a minor portion of a plaza. The requested exceptions are described in detail in **Attachment C**.

Compliance with the Required ZR Section 74-96 Findings

As indicated above, a number of findings must be satisfied by the Proposed Development for CPC approval for the modification of use, bulk, parking and loading regulations in Industrial Business Incentive Areas. As described in detail in the ULURP application and as discussed in **Attachment C, "Land Use, Zoning and Public Policy,"** the Proposed Development would meet all of the required findings, including: Promoting a Beneficial Mix of Required Industrial and Incentive Uses; Resulting in Superior Site Planning, Harmonious Urban Design Relationships and a Safe and Enjoyable Streetscape; Resulting in a Building that has a Better Design Relationship with Surrounding Streets and Adjacent Open Areas; and, Resulting in a Development or Enlargement that Will Not Have an Adverse Effect on the Surrounding Neighborhood. Further, the proposed modifications to the public plaza requirements are

expected to result in a public plaza of "Equivalent or Greater Value as a Public Amenity," consistent with Section 74-962(c)(5).

Compliance with the Required ZR Section 74-963 Findings to Modify Parking and Loading Requirements in Industrial Business Incentive Areas

As indicated in **Attachment C, "Land Use, Zoning and Public Policy,"** ZR Section 74-963 indicates that CPC may reduce or waive the off-street parking requirements set forth in Section 44-20 (Required Accessory Off-Street Parking Spaces for Manufacturing, Commercial or Community Facility Uses), not including bicycle parking, and may also reduce or waive the loading berth requirements as set forth in Section 44-50 (General Purposes), provided that the following findings are satisfied: Such Reduction or Waiver will not Create or Contribute to Serious Traffic Congestion and will not Unduly Inhibit Vehicular and Pedestrian Movement; The Number of Curb Cuts Provided are the Minimum Required for Adequate Access to Off-Street Parking and Loading Berths, and Such Curb Cuts are Located so as to Cause Minimum Disruption to Traffic, Including Vehicular, Bicycle and Pedestrian Circulation Patterns; The Streets Providing Access to the Development or Enlargement are Adequate to Handle the Traffic Generated Thereby, or Provision has been Made to Handle Such Traffic; and The Reduction or Waiver of Loading Berths will not Create or Contribute to Serious Traffic Congestion or Unduly Inhibit Vehicular and Pedestrian Movement. As described in **Attachment C**, the Proposed Development satisfies the stated findings.

IV. PROJECT PURPOSE AND NEED

The proposed Zoning Text Amendment is intended to establish special regulations to encourage the development of new buildings to attract the tech industry and small-scale manufacturers, encourage job creation in Brooklyn CD 1, provide increased walk-to-work opportunities in Brooklyn CD 1, encourage increased density of uses permitted within M1-2 zoning districts, as well as incentive uses, establish urban design guidelines to accommodate increased densities, and strengthen the economic base of the City, conserve the value of land and buildings, contribute to a diverse mix of business uses and employment in the area, and protect the City's tax revenues.

Williamsburg's north side and southern Greenpoint have experienced significant residential growth since the 2005 Greenpoint-Williamsburg Rezoning. While several new office buildings have been completed in the surrounding area in recent years (including the previously mentioned Vice Magazine offices and Amazon photo studio), the amount of existing office space in this area of Brooklyn has not expanded much. The creation of this new approximately 278,754 gsf office space would create new employment opportunities for the area's growing residential population.

Furthermore, introducing additional commercial office space in Williamsburg would address a borough-wide need for more commercial office space, particularly for technology firms. In June 2013, the Brooklyn Tech Triangle Coalition, a coalition of economic development organizations representing DUMBO, Downtown Brooklyn, and the Navy Yard, projected that roughly 2.6 million to 3.9 million square feet of office space is needed in the area to accommodate the needs of existing technology firms located in Brooklyn as well as the needs of firms that would like to locate there. Based on this projection, even if only half of the Brooklyn Tech Triangle Coalition's projected demand for office space is realized, the area would be left with no vacancy, unable to accommodate the demand. The commercial office space facilitated by the Proposed Actions would contribute toward addressing this demand. This shortage of office space is especially acute for firms seeking large sites.

As noted above, there is an existing trend in the Greenpoint-Williamsburg IBZ of hotel development, which is permitted as-of-right under existing zoning up to a maximum commercial FAR of 2.0. As

indicated above, the existing M1-2 district allows 2.0 FAR for commercial and manufacturing uses and 4.8 for community facility uses. The proposed Zoning Text Amendment would require that any additional commercial floor area granted under the special permit not be occupied by transient hotel, retail, amusement/entertainment, or warehouse/storage uses; 3.5 square feet increase in maximum allowable floor area available by the special permit for each square-foot of Required Industrial Uses up to a maximum FAR of 4.8. The additional commercial and manufacturing floor area and parking waivers facilitated by the special permit would be an incentive to developers that would create new employment opportunities and ensure that future employment in the area includes light-industrial/manufacturing jobs, without any increase in the maximum floor area ratio currently permitted in the M1-2 district.

V. REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

For environmental analysis purposes, a RWCDS has been identified for the Development Site for the 2018 analysis year ("Build Year"). The incremental difference between the future No-Action and future With-Action scenarios are the basis for the impact category analyses of this Environmental Assessment Statement (EAS). **Table A-2** provides a comparison of the 2018 No-Action and With-Action conditions.

Table A-2: Comparison of 2018 No-Action and With-Action Scenarios

Land Use	No-Action	With-Action	Increment
Commercial Office	64,338 gsf	278,754 gsf	+ 214,416 gsf
Local Retail	36,921 gsf	37,347 gsf	+ 426 gsf
Community Facility (Medical Office)	237,982 gsf	0 gsf	- 237,982 gsf
Required Industrial Uses[1]	0 gsf	70,722 gsf	+ 70,722 gsf
Mechanical, Tenant Storage and Amenity Space on the Cellar Level	0 gsf	30,000 gsf	+ 30,000 gsf
Ground Floor Publicly-Accessible Pedestrian Walkway	14,328 gsf	14,328 gsf	0
Parking and Loading	251,967 gsf	54,005 gsf	- 197,962 gsf
Total Floor Area	**605,536 gsf**	**485,156 gsf**	**- 120,380 gsf**
Parking Spaces	1,100 spaces	275 spaces	-825 spaces
Population	**No-Action**	**With-Action**	**Increment**
Employees	1,185	1,516	+ 333 employees

Notes: Employee calculations based on the following assumptions: one employee per 250 sf of office; one employee per 300 sf of medical office; three employees per 1,000 sf of retail; one employee per 50 parking spaces; and one employee per 250 sf of industrial.[2]

[1] Includes use groups 11A, 16A, 16B, 17B, 17C, and 18A.

[2] Industrial employee generation rate is conservatively assumed to be the same as office space for the proposed Required Industrial Uses since the types of industrial uses will be small-scale maker spaces.

To determine the scenarios, standard methodologies have been used following 2014 *City Environmental Quality Review Technical Manual* guidelines and employing reasonable, worst-case assumptions. These methodologies have been used to identify the amount and location of future development, as discussed below.

The Future without the Proposed Actions (No-Action)

As previously stated, on August 6, 2014, pursuant to New Building Permit No. 320591944, the Development Site was granted approval by NYCDOB to construct an 11-story commercial and community facility office building containing 605,536 gsf, including 1,100 parking spaces. This building, which is permitted as-of-right by the underlying M1-2 district, would rise to a height of 153 feet to the top

of the mechanical equipment. On February 20, 2014, pursuant to Demolition Permit No. 320961562, the Development Site was granted approval to begin site clearance. Demolition for this building has been completed. On August 6, 2014, pursuant to New Building Permit No. 320591944, the Development Site was granted approval to begin construction of the foundations for this building.

As outlined in the building plans (shown in **Figure A-6**), in the future without the Proposed Actions (the No-Action Scenario), an as-of-right 4.79 FAR mixed community facility/commercial building would be constructed on the Proposed Development Site, including approximately 2.0 FAR of commercial and/or manufacturing uses and 2.8 FAR of community facility uses. The as-of-right building would total 605,536 gsf and would rise to ten stories to a height of approximately 153 feet with rooftop mechanical equipment. Approximately 36,921 gsf of retail would be located on the ground floor; 237,982 gsf of community facility uses would comprise medical office space to be located on the fourth through ninth floors; and 64,338 gsf of commercial office and/or manufacturing uses to be located on the ninth and tenth floors. Approximately 1,100 spaces would be located on the cellar level, as well as the second and third floors to meet existing accessory parking requirements in M1-2 districts. Additionally, six loading berths would be provided to meet existing accessory parking requirements in M1-2 districts. Access to the No-Action parking garage would be provided from both North 12th and North 13th Streets.

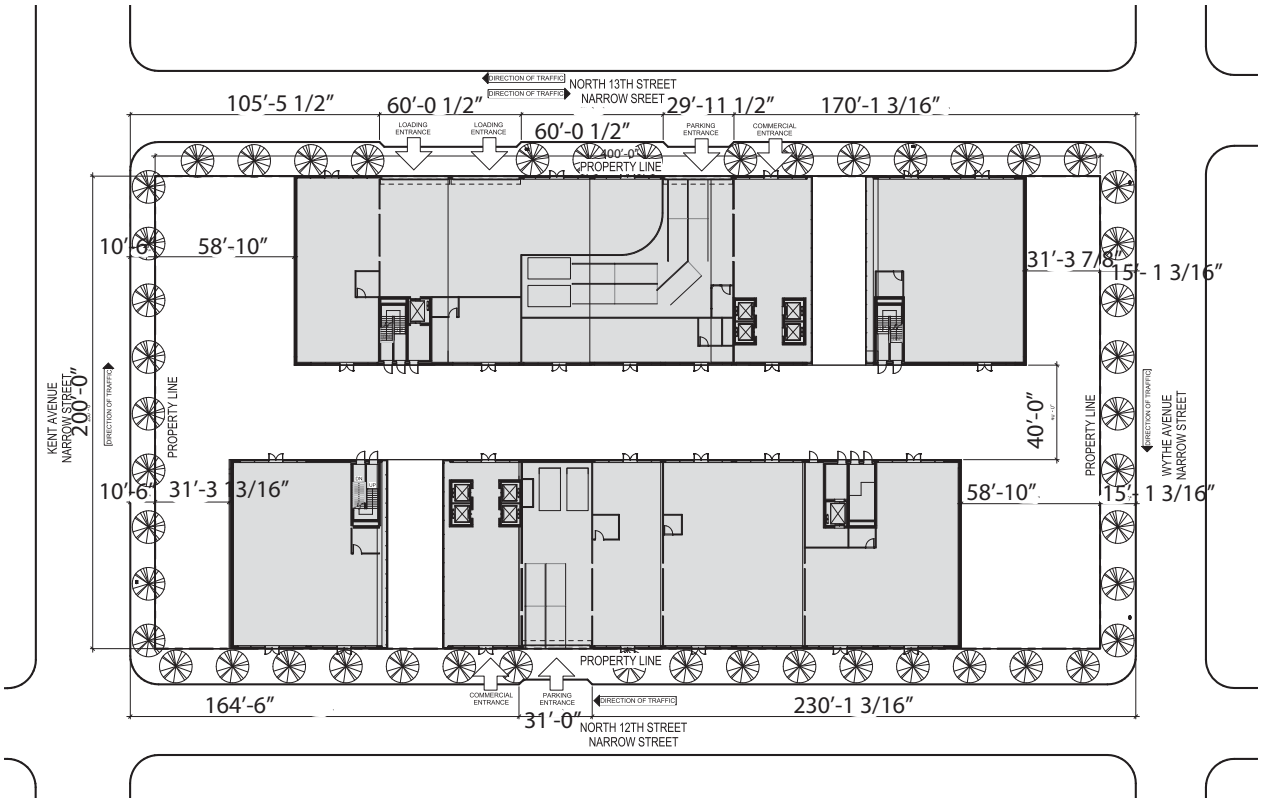
Consistent with the filed NYCDOB building permits for the No-Action development, it is anticipated that the building's approximately 237,982 gsf of community facility uses would comprise medical office space. While the development at 94 North 13th Street does include plans for a significant amount of community facility space (approximately 48,600 sf), much of the recent development in the area continues to be new hotel space. Therefore, the planned as-of-right development would be the first of its kind in the immediate area. However, the planned medical office uses would be consistent with the Brooklyn CD 1 Statement of Community District Needs for Fiscal Year 2016, which identified the need for health clinics in the area, as well as ongoing City-wide trends in walk-in health clinics. Further, the residential population in this part of north Brooklyn continues to grow and the demand for services, including community facilities such as medical offices, also continues to grow. The planned community facility use represents the RWCDS for the No-Action scenario.

The Future with the Proposed Actions (With-Action)

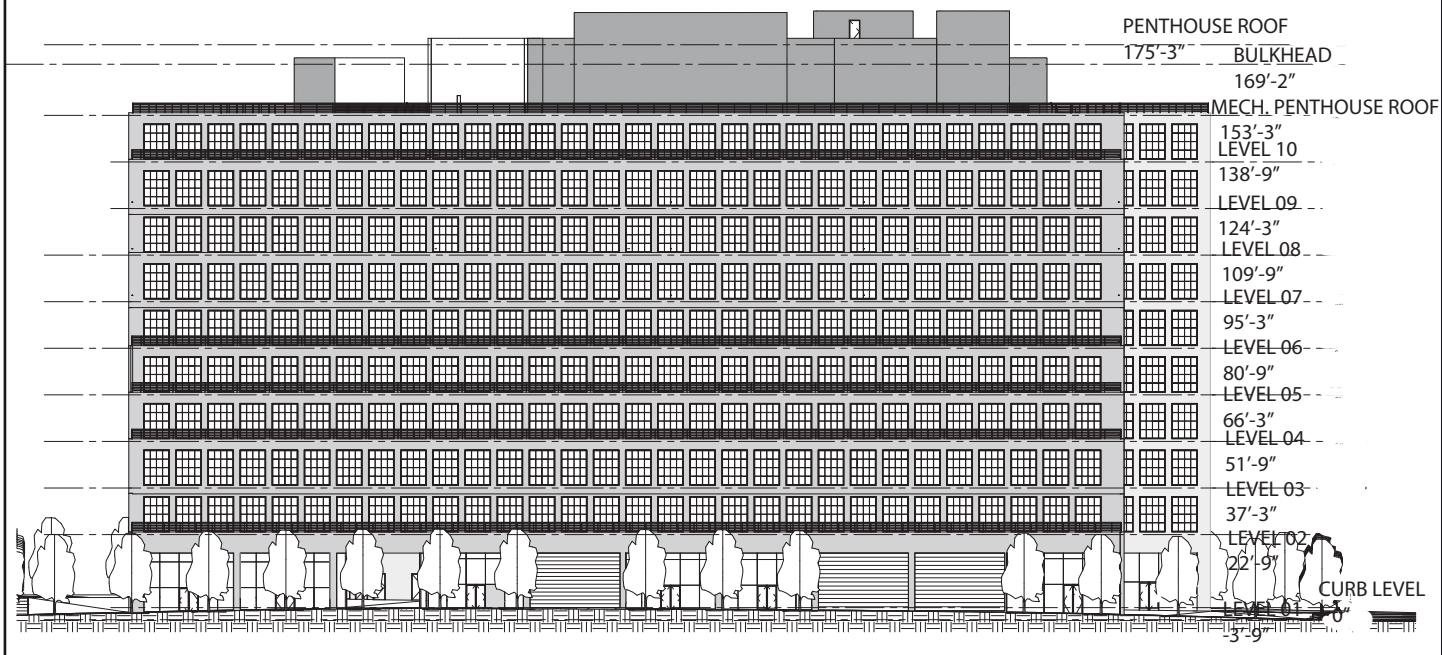
In the future with the Proposed Actions (the With-Action scenario), the requested special permits would facilitate development of the proposed approximately 405,156 gsf above grade (485,156 gsf with below-grade uses) building on the Development Site (refer to **Figures A-4** and **A-5**). The With-Action development would have an FAR of 4.75, slightly below the maximum permitted FAR, with 2.0 FAR of commercial uses available under M1-2 districts (with certain exceptions described above); 2.0 FAR for Incentive Uses available by the special permit; and 0.75 FAR of Required Industrial Uses, as required under the proposed special permit. The proposed building would rise to eight stories to a maximum height of 135 feet (excluding rooftop mechanical equipment).

As described above, under the With-Action Scenario, the Proposed Development would be comprised primarily of large-footprint commercial office uses (278,754 gsf). It is anticipated that typical tenants would be companies in the technology and creative media industries, consistent with existing trends in the surrounding area. Based on trends in the surrounding area and the proposed building floor plans, under the RWCDS, it is anticipated that the 70,722 gsf of Required Industrial Uses would be occupied by small scale manufacturers, such as furniture, jewelry, or food manufacturers. The 37,347 gsf of ground floor retail spaces are expected to have small footprints and would be occupied by local retail uses. Approximately 275 parking spaces would be located on a portion of the building's cellar level, which would be accessed from North 13th Street. Three loading berths would also be provided, with access from North 13th Street.

No-Action Development - Filed DOB Plans



Site Plan



N. 13th Street Elevation

Source: Gensler Architects

The Proposed Development would be in accordance with the special permit and applicable New York City Zoning bulk regulations and would be designed to meet the site design, envelope, and urban design requirements that would be applicable to developments making use of the special permit.

VI. REQUIRED APPROVALS AND REVIEW PROCEDURES

The Proposed Actions are subject to the City's land use and environmental review processes, described below.

Uniform Land Use Review Procedure

The City's Uniform Land Use Review Procedure (ULURP), mandated by Sections 197-c and 197-d of the City Charter, is a process specifically designed to allow public review at four levels: the Community Board, the Borough President, the CPC, and the City Council. The procedure sets time limits at each review, with a maximum period of approximately seven months.

The process begins with DCP certification that the ULURP application is complete. The application is then referred to the Community Board in which the project takes place (for the proposed project, Brooklyn Community Board 1). The Community Board has up to 60 days to review the proposal, hold a public hearing, and adopt a resolution regarding the proposal. Next, the Borough President has up to 30 days to perform the same steps. The CPC then has up to 60 days, and, during that time, a ULURP public hearing is held. The CPC then forwards the application to the City Council. Following the Council's vote, the Mayor, at his discretion, may choose to veto the action. The City Council can override that veto.

Environmental Review

The Proposed Actions are subject to CEQR. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The CEQR process requires City agencies to assess, disclose, and mitigate to the greatest extent practicable the significant environmental consequences of their decisions to fun, directly undertake, or approve a project. DCP, acting on behalf of the CPC, is the lead agency for the Proposed Action.

Attachment B

Supplemental Screening

I. INTRODUCTION

This Environmental Assessment Statement (EAS) has been prepared in accordance with the guidelines and methodologies presented in the 2014 *City Environmental Quality Review* (CEQR) *Technical Manual.* For each technical area, thresholds are defined, which, if met or exceeded, require that a detailed technical analysis be undertaken. Using these guidelines, preliminary analyses were conducted for all aspect of the Proposed Development to determine whether detailed analysis of any technical area would be appropriate. Part II, "Technical Analysis," of the EAS identified those technical areas that warrant additional assessment. For those technical areas that warrant a "Yes" answer in Part II of the EAS Form, including land use, zoning, and public policy, socioeconomic conditions, urban design and visual resources, hazardous materials, water and sewer infrastructure, greenhouse gas emissions and climate change, noise, public health, neighborhood character, and construction, supplemental screening analyses are provided in this attachment. Detailed assessments are required in the areas of land use, zoning, and public policy, socioeconomic conditions, urban design and visual resources, water and sewer infrastructure, and air quality. These detailed analyses are provided in Attachments C through G, respectively, and are summarized in this attachment.

As described in **Attachment A, "Project Description,"** the Applicant is requesting a Zoning Text Amendment to create Section 74-96 of the Zoning Resolution of the City of New York (the "Zoning Resolution" or "ZR"). The proposed Zoning Text Amendment would establish and map an Industrial Business Incentive Area on the Development Site. Additionally, the Zoning Text Amendment would create special permits that would be available to properties within the defined boundaries of the Industrial Business Incentive Area. The boundaries of the proposed Industrial Business Incentive Area align with the proposed Development Site's boundaries. The Applicant would apply for the newly created special permits. The proposed Zoning Text Amendment and associated Special Permits (the "Proposed Action") would facilitate the development of an approximately 485,156 gsf primarily commercial office building on Brooklyn Block 2282 (Lot 1) in the Williamsburg Northside neighborhood (the "Proposed Development"). As currently contemplated, the Proposed Development would rise to a maximum height of 135 feet and would be comprised of approximately 278,754 gsf of commercial offices, approximately 70,722 gsf of Required Industrial Uses, approximately 37,347 gsf of ground floor local retail, and approximately 275 below-grade attended accessory parking spaces (approximately 54,005 gsf).

Absent the Proposed Action, an as-of right 4.79-FAR building with 36,921 gsf of retail, 237,982 gsf of community facility (medical office) space, 64,338 gsf of commercial office uses, and 1,100 parking spaces would be constructed on the Proposed Development Site pursuant to plans filed at the New York City Department of Buildings (DOB). The incremental development to be analyzed comprises a net increase of 214,416 gsf of commercial office uses, 426 gsf of local retail and 70,722 gsf of small-scale manufacturing uses, as well as a net increase of 30,000 gsf of below-grade tenant storage, tenant amenities and mechanical space. There would be a net decrease of 237,982 gsf of community facility uses (medical office) and 825 parking spaces. The Build Year for analysis purposes is 2018.

II. LAND USE, ZONING, AND PUBLIC POLICY

A detailed assessment of land use and zoning is appropriate if a proposed action would result in a significant change in land use or would substantially affect regulations or policies governing land use. An

assessment of zoning is typically performed in conjunction with a land use analysis when the action would change the zoning on the site or result in the loss of a particular use.

As the Proposed Action includes a Zoning Text Amendment and associated Special Permits, a detailed assessment of land use, zoning, and public policy is warranted and is provided in **Attachment C, "Land Use, Zoning, and Public Policy."** As described in **Attachment C**, the Proposed Development would not result in any significant adverse land use, zoning, or public policy impacts.

Waterfront Revitalization Program

In accordance with the guidelines in the *CEQR Technical Manual*, a preliminary evaluation of the Proposed Action's potential for inconsistency with the New York City Waterfront Revitalization Program (WRP) policies was undertaken and is included in **Attachment C**. This preliminary evaluation requires completion of the Consistency Assessment Form (CAF), which was developed by the New York City Department of City Planning (DCP) to help applicants identify which WRP policies apply to a specific action or project. The questions in the CAF are designed to screen out those polices that would have no bearing on a consistency determination for a proposed action. For any questions that warrant a "yes" answer or for which an answer is ambiguous, an explanation should be prepared to assess the consistency of the proposed actions with the noted policy or policies.

The CAF was prepared for the Proposed Action and is provided in **Appendix IV**. As indicated in the form, the Proposed Action was deemed to require further assessment of several specific policies. As discussed in **Attachment C, "Land Use, Zoning, and Public Policy,"** an assessment of these WRP policies found that the Proposed Action would be consistent with all applicable policies. Therefore, the Proposed Action would not result in any significant adverse impacts related to the WRP.

III. SOCIOECONOMIC CONDITIONS

Socioeconomic impacts may occur when an action directly or indirectly changes population, housing stock, or economic activities in an area. In some cases, these changes may be substantial, but not significantly adverse. In other cases, these changes may be beneficial to some groups and adverse to others. The purpose of a socioeconomic assessment is to disclose potentially adverse changes that would be created by an action and identify whether they rise to the level of significance. According to the *CEQR Technical Manual*, a socioeconomic assessment should be conducted if a project may be reasonably expected to create socioeconomic changes in the area affected by the project that would not be expected to occur in the absence of the project. The following screening assessment considers threshold circumstances identified in the *CEQR Technical Manual* and enumerated below that can lead to socioeconomic changes warranting further assessment.

1. *Direct Residential Displacement: Would the project directly displace residential population to the extent that the socioeconomic character of the neighborhood would be substantially altered? Displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic character of a neighborhood.*

   As the Proposed Development Site does not contain any existing residential units, the Proposed Development would not directly displace any residents. Therefore, an assessment of direct residential displacement is not warranted.

2. *Direct Business Displacement: Would the project directly displace more than 100 employees? If so, assessments of direct business displacement and indirect business displacement are appropriate.*

As the Proposed Development Site does not contain any existing businesses, the Proposed Development would not directly displace any employees. Therefore, an assessment of direct business displacement is not warranted.

3. *Direct Business Displacement: Would the project directly displace a business whose products or services are uniquely dependent on its location, are the subject of policies or plans aimed at its preservation, or serve a population uniquely dependent on its services in its present location? If so, an assessment of direct business displacement is warranted.*

   As the Proposed Development Site does not contain any existing businesses, the Proposed Development would not directly displace a business whose products or services are uniquely dependent on its location, are the subject of policies or plans aimed at its preservation, or serve a population uniquely dependent on its serves in its present location. Therefore, an assessment of direct business displacement is not warranted.

4. *Indirect Displacement due to Increased Rents: Would the project result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood? Residential development of 200 units or less or commercial development of 200,000 sf or less would typically not result in significant socioeconomic impacts. For projects exceeding these thresholds, assessments of indirect residential displacement and indirect business displacement are appropriate.*

   The Proposed Development would introduce commercial uses in excess of 200,000 sf. Therefore, an assessment of potential indirect business displacement is warranted and is provide in **Attachment D, "Socioeconomic Conditions."** As the Proposed Development does not include a residential component, the Proposed Development would not result in significant adverse impacts due to indirect residential displacement, and an assessment of indirect residential displacement is not warranted.

5. *Indirect Business Displacement due to Retail Market Saturation: Would the project result in a total of 200,000 sf or more of retail on a single development site or 200,000 sf or more of region-serving retail across multiple sites? This type of development may have the potential to draw a substantial amount of sales from existing businesses within the study area, resulting in indirect business displacement due to market saturation.*

   The Proposed Development would include approximately 37,347 gsf of retail uses, which is below the 200,000 sf CEQR threshold warranting assessment of indirect business displacement due to market saturation.

6. *Adverse Effects on Specific Industries: Is the project expected to affect conditions within a specific industry? This could affect socioeconomic conditions if a substantial number of workers or residents depend on the goods and services provided by the affected businesses, or if the project would result in the loss or substantial diminishment of a particularly important product or service within the City.*

As noted above, the Proposed Development Site is currently vacant, and, therefore, the Proposed Development would not directly displace any businesses or employees of a specific industry.

A socioeconomic assessment of potential indirect business displacement is provided in **Attachment D, "Socioeconomic Conditions,"** of this EAS. As indicated in **Attachment D**, no impacts are anticipated to the area's Socioeconomic Conditions as a result of the Proposed Action.

IV. URBAN DESIGN AND VISUAL RESOURCES

An area's urban design components and visual resources together define the look and character of the neighborhood. The urban design characteristics of the neighborhood encompass the various components of buildings and streets in the area, including building bulk, use, and type; building arrangement; block

form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business.

An analysis of urban design and visual resources is appropriate if a proposed action would (a) result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use, or arrangement than exists in an area; (b) change block form, demap an active street or map a new street, or affect the street hierarchy, street wall, curb cuts, pedestrian activity or streetscape elements; or (c) would result in above-ground development in an area that includes significant visual resources.

As the Proposed Action would involve a Special Permit that would facilitate changes to the building massing permitted as-of-right, an analysis of the potential impacts of the Proposed Action on urban design is warranted and is provided in **Attachment E**. As discussed therein the Proposed Action would not result in significant adverse impacts to urban design or visual resources on the Proposed Development Site or within the 400-foot study area. Development facilitated by the Proposed Action would be largely unchanged from the under construction as-of-right building which would contain community facility uses, local retail, commercial office, and parking. It is being built on an existing block, and would not entail any changes to topography, street patterns, street hierarchy, block shapes, or natural features. The Proposed Development would be built in accordance with the proposed Special Permits and applicable New York City Zoning bulk requirements, and would meet the site design, envelope, and urban design requirements applicable to developments making use of the applicable Special Permits within the Industrial Business Incentive Area. The Proposed Development would not negatively alter views in the study area from adjacent publicly-accessible locations, and would not obstruct any view corridors of significant visual resources. The Proposed Development is expected to further define view corridors within the 400-foot study area by creating solid street walls along North 12th and 13th Streets, which would also enhance the pedestrian experience in the area with ground-floor retail spaces and public plazas. As such, the Proposed Action would not result in significant adverse impacts to urban design and visual resources, but is expected to complement and improve the urban design of the area.

V. HAZARDOUS MATERIALS

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi-volatile organic compounds, methane, polychlorinated biphenyls, and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic. According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: (a) hazardous materials exist on a site and (b) an action would increase pathways to their exposure; or (c) an action would introduce new activities or processes using hazardous materials.

Under both No-Action and With-Action conditions, the Proposed Development Site (an area that had formerly been used by industrial uses) would be developed with a mix of commercial and community facility uses.

A Phase I Environmental Site Assessment (ESA) was prepared for the Proposed Development Site in 1999 by Malcolm Pirnie, Inc. At the time the Phase I ESA was prepared, the Proposed Development Site was occupied by an equipment rental facility, which has been operated for approximately 65 years. The Phase I ESA indicated the following recognized environmental concerns:

- The on-site sediment trap was greater than ten years old.

- The floor drain discharge from the maintenance shop was unknown.
- According to Sanborn Fire Insurance maps, the following facilities have occupied portions of the Proposed Development Site during the indicated time periods: Standard Oil Company of New York (1905-1951); Hildreth Varnish/Creed and Company Varnish (1887-1942); Hecla Iron Works (1916); Dermerty Cooperage (1887-1905); and Pratt Bleachers (1887).
- According to Sanborn maps, the following industrial facilities have been located topographically upgradient of the Proposed Development Site during the indicated time periods: Brooklyn Union Gas Company (1887-1951); and Kings County Iron Works (1095-1916).
- Semi volatile organic compounds (SVOCs) were present in soils in excess of the New York State cleanup standards in some locations around the area where four 550-gallon underground storage tanks (USTs) were removed from portions of the Proposed Development Site in August 1998.
- Four 1,500-gallon USTs containing engine oil, hydraulic oil, waste oil, and diesel fuel were located on the Proposed Development Site.
- An affidavit dated June 13, 1989 from Alvin Petroleum Systems, Inc. indicated that one 550-gallon gasoline tank was purged and filled with a concrete slurring in the southwestern portion of the Proposed Development Site in accordance with Fire Department regulations. However, no sampling had been performed to confirm that this UST had not affected subsurface soils or shallow groundwater in the area.
- Bayside Fuel Oil Depot was observed across Kent Avenue to the north and northwest of the Proposed Development Site. An unquantified spill on July 10, 1998 from a 400,000-gallon tank at Bayside Fuel Depot affected groundwater in the area. Due to the close proximity of the Bayside Fuel Depot, the spill may have affected shallow groundwater at the Proposed Development Site.

As the same area and volume of site excavation and off-site disposal of excavated materials would occur in both the No-Action and With-Action conditions and as the project would undergo remediation pursuant to policies and guidance of the Voluntary Cleanup Program for the as-of-right development as well as for the Proposed Development, the Proposed Action would not result in a significant adverse hazardous materials impact (see **Appendix III, "Voluntary Cleanup Program Decision Document"**). Further, the Applicant has enrolled the site in the Brownfield Cleanup Program. Site remediation is scheduled to start in early 2016. Therefore, the Proposed Development would not have the potential to result in significant adverse hazardous materials impacts and no further analysis is warranted for CEQR purposes.

VI. WATER AND SEWER INFRASTRUCTURE

For assessment purposes, the City's "infrastructure" comprises the physical systems supporting its population, including: water supply, wastewater treatment, and stormwater management. Other infrastructure components are addressed separately per CEQR guidelines. Given the size of New York City's water supply system and the City's commitment to maintaining adequate water supply and pressure, few actions have the potential to cause significant impacts on this system. Therefore, only very large developments or actions having exceptionally large water demands (e.g., more than one million gallons per day) would warrant a detailed water supply assessment. For wastewater and stormwater conveyance and treatment, the *CEQR Technical Manual* indicates that a preliminary assessment is needed if a project is located in a combined sewer area and would exceed the following incremental development of residential units or commercial space thresholds above the predicted No-Action scenario: (a) 1,000 residential units or 250,000 sf of commercial space or more in Manhattan; or (b) 400 residential units or 150,000 sf of commercial space or more in the Bronx, Brooklyn, Staten Island, or Queens.

The Proposed Development would result in the incremental development of 214,416 gsf of commercial office space, and therefore would exceed the CEQR analysis threshold for wastewater and stormwater conveyance and treatment. As presented in **Attachment F, "Water and Sewer Infrastructure,"** the Proposed Development would not result in a significant adverse impact on wastewater and stormwater conveyance and treatment. The Proposed Development is expected to generate approximately 53,074 gallons per day (gpd) of sanitary sewage, an increase of 13,981 gpd over the No-Action building. This incremental increase in sewage generation is less than 0.01 percent of the average daily flow at the Newtown Creek Water Pollution Control Plant (WPCP) and would not result in an exceedance of the plant's permitted capacity. Therefore, the proposed action would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system. Depending on the rainfall volume and duration, the total With-Action volume to the combined sewer system could be between 0.01 and 0.16 mgd. Compared to existing conditions, this would represent an increase in combined sewer flows of 0.01 to 0.14 mgd, depending on rainfall intensities. With the incorporation of selected stormwater source control best management practices (BMPs) that would be required as part of the site connection approval process, subject to the review and approval of the New York City Department of Environmental Protection (DEP), the peaks stormwater runoff rates would be reduced. Overall, the Proposed Development would not result in significant adverse impacts on the City's sewage conveyance and treatment systems.

VII. TRANSPORTATION

The objective of the transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on- and off-street parking, or goods movement.

The *CEQR Technical Manual* identified minimum development densities that have the potential to result in significant adverse impacts to traffic conditions and therefore require a detailed traffic analysis. As shown in Table 16-1 of the *CEQR Technical Manual*, actions with a single or multiple land use(s) that would result in fewer than fifty peak hour vehicle trips are generally unlikely to cause significant adverse impacts. For commercial development in CEQR Traffic Zone 2 (which includes Greenpoint-Williamsburg), the incremental development threshold requiring trip generation analysis to determine the volume of trips during transportation peak hours is 100,000 gsf or more of office uses; 20,000 gsf or more of regional retail uses; and/or 15,000 gsf or more of local retail uses. As the Proposed Development would result in the incremental development of 214,416 gsf of commercial office uses, it would exceed the applicable CEQR incremental development threshold.

According to the *CEQR Technical Manual*, if an action would result in development greater than one of the minimum development density thresholds in Table 16-1, a Level 1 (Project Trip Generation) Screening Assessment should be prepared. In most areas of the City, including the Proposed Development Site, if a proposed action is projected to result in fewer than 50 peak hour vehicle trips, 200 peak hour subway/rail or bus transit riders, or 200 peak hour pedestrian trips, it is unlikely that further analysis would be necessary. If these trip generation screening thresholds are exceeded, a Level 2 (Project-generated Trip Assignment) Screening Assessment should be prepared to determine if the Proposed Action would generate or divert 50 peak hour vehicle trips through any intersection, 200 peak hour subway person-trips through a single station, 50 peak hour bus person-trips on a single bus route in the peak direction, or 200 peak hour pedestrian trips through a single pedestrian element. If any of these Level 2 screening thresholds are met or exceeded, a detailed analysis for the respective mode is required.

As described above, under the With-Action scenario, the Proposed Development would be comprised primarily of large-footprint commercial office uses (278,754 gsf). It is anticipated that typical tenants would be companies in the technology and creative media industries, consistent with existing trends in the surrounding area. Based on trends in the surrounding area and the proposed building floor plans, under the RWCDS, it is assumed that the 70,722 gsf of Industrial Business Incentive Area would be occupied by use groups 11A, 16A, 16B, 17B, 17C, and 18A (e.g., small scale manufacturers, such as furniture, jewelry, or food manufacturers), consistent with trends in the surrounding area. The 37,347 gsf of ground floor retail spaces would have small footprints and would be occupied by local retail uses. A 275-space accessory parking garage would be provided below-grade. Compared to future conditions without the Proposed Action, the RWCDS associated with the Proposed Action would result in a net increase of approximately 214,416 gsf of commercial office space and 70,722 gsf of light industrial uses, while the local retail floor area would increase by approximately 426 gsf. There would be a net decrease of community facility (medical office) space by 237,982 gsf and accessory parking spaces by 825. There would also be an increase in tenant storage, tenant amenity space and mechanical on the cellar level by approximately 30,000 gsf as compared to No-Action conditions as a result of the reduced parking space requirements. This represents the program analyzed to determine if detailed transportation analyses of traffic, parking, transit, and pedestrians is required pursuant to *CEQR Technical Manual* guidelines.

A travel demand forecast was prepared for this net incremental development program to determine if the Proposed Development would result in 50 or more project-generated vehicle trips, 200 or more project-generated transit trips, or 200 or more project-generated pedestrian trips. **Table B-1** shows the transportation planning factors used to forecast the travel demand generated by the Proposed Development in the weekday AM, midday, and PM and Saturday midday peak hours, including trip generation rates, temporal and directional distributions, mode choice factors, and vehicle occupancy rates. As shown in **Table B-1**, the local retail assumptions are based on the *CEQR Technical Manual* and the 2013 *Domino Sugar Project Technical Memorandum 003*. The assumptions for the office space are also based on the *CEQR Technical Manual* and the 2013 *Domino Sugar Project Technical Memorandum 003*, as well as on 2012 Dumbo employee surveys that were used to develop modal splits and vehicle occupancy rates. For the light manufacturing uses, it was conservatively assumed that the tenants would have travel patterns similar to the office employees, with the exception of modal splits and vehicle occupancy rates, which were based on reverse journey-to-work census data. For the medical office, the trip generation rates and temporal and directional distributions were based on data provided by NYCDOT, while the modal split and vehicle occupancy assumptions were based on reverse journey-to-work census data. **Table B-2** shows the resulting travel demand forecast for the Proposed Development.

As shown in **Table B-2**, development facilitated by the Proposed Action would result in a net decrease of 590 person trips during the weekday AM, 2,552 person trips during the weekday midday, 2,906 person trips during the weekday PM, and 3,138 person trips during the Saturday midday peak hour. While the number of vehicle, subway and bus trips would decrease in all four peak hours, the Proposed Action would result in a net increase of 18 walk-only trips in the weekday midday peak hour. However, the Proposed Action would result in a net decrease of 190 total walk trips (including pedestrians en route to/from subway stations and bus stops) during the weekday AM peak hour, 1,098 total walk trips during the weekday midday peak hour, 1,448 total walk trips during the weekday PM peak hour and 1,693 total walk trips during the Saturday midday peak hour. Per *CEQR Technical Manual* Level 1 (Trip Generation) Screening Assessment guidelines, no further analysis is required as the Proposed Action would not generate more than 50 new vehicle trips and not more than 200 new pedestrian or transit trips in any of the four peak hours.

Table B-1: Transportation Planning Factors

Land Use:	**Local Retail**	**Light Manufacturing**		**Office**			**Medical Office**
Trip Generation:	(1)	(1)(3)		(1)(5)			(6)
				Employees		Visitors	
Weekday	205	18		17.2		0.9	127
Saturday	240	3.9		3.7		0.2	127
	per 1,000 sf	per 1,000 sf		per 1,000 sf			per 1,000 sf
Temporal Distribution:	(1)	(1)(3)		(1)			(6)
AM	3.0%	12.0%		12.0%		12.0%	4.0%
MD	19.0%	15.0%		15.0%		15.0%	11.0%
PM	10.0%	14.0%		14.0%		14.0%	12.0%
SatMD	10.0%	17.0%		17.0%		17.0%	11.0%
	(2)	(4)	(2)	(2)(5)			(4)
Modal Splits:	All Periods	AM/PM/ SAT	MD	Employees AM/PM/SAT	Employees MD	Visitors All Periods	All Periods
Auto	5.0%	44.0%	2.0%	11.9%	2.0%	25.2%	44.0%
Taxi	5.0%	0.7%	1.0%	2.1%	1.0%	16.4%	0.7%
Subway	5.0%	32.1%	7.0%	61.7%	7.0%	27.2%	32.1%
Bus	5.0%	4.9%	7.0%	1.0%	7.0%	8.4%	4.9%
Walk/Other	80.0%	18.3%	83.0%	23.3%	83.0%	22.8%	18.3%
	100.0%	100.0%	100%	100.0%	100%	100%	100.0%
	(2)	(2)(3)		(2)			(6)
In/Out Splits:	In Out	In	Out	In		Out	In Out
AM	50% 50.0%	94%	6%	94.0%		6.0%	89% 11.0%
MD	47% 53.0%	39%	61%	39.0%		61.0%	51% 49.0%
PM	44% 56.0%	5%	95%	5.0%		95.0%	48% 52.0%
Sat MD	55% 45.0%	60%	40%	60.0%		40.0%	51% 49.0%
	(2)	(4)		(5)			(4)
Vehicle Occupancy:	weekday Saturday			Employees		Visitors	weekday Saturday
Auto	2.20 2.10	1.14		1.26		1.60	1.14 1.14
Taxi	2.20 2.10	1.14		1.26		1.60	1.14 1.14
Truck Trip Generation:	(1)	(1)(3)		(1)			(7)
	0.35	0.35		0.32			0.29
	0.04	0.04		0.01			0.29
	per 1,000 sf	per 1,000 sf		per 1,000 sf			per 1,000 sf
	(1)	(1)(3)		(1)			(7)
AM	8.0%	10.0%		10.0%			3.0%
MD	11.0%	11.0%		11.0%			11.0%
PM	2.0%	2.0%		2.0%			1.0%
Sat MD	11.0%	11.0%		11.0%			0.0%
	In Out	In	Out	In		Out	In Out
All Periods	50.0% 50.0%	50.0%	50.0%	50.0%		50.0%	50.0% 50.0%

Notes :

(1) *2014 City Environmental Quality Review (CEQR) Technical Manual.*

(2) *Domino Sugar Project - TM 003* (2013)

(3) Light manufacturing employee patterns are assumed to be the same as office employee patterns

(4) 2006-2010 ACS Reverse Journey-to-Work census data for Kings County census tracts 517, 553, 555,557, 561, and 569.

(5) PHA Dumbo Employee surveys, Oct. & Nov. 2012

Table B-2: Travel Demand Forecast

		No-Action														With-Action										Net Increment (With-Action - No-Action)		
Land Use:		**Local Retail**		**Office**				**Medical Office**				**Medical Office**		**Total**		**Local Retail**		**Light Manufacturing**		**Office**				**Total**				
Size/Units:		36,921 gsf		64,338 gsf				237,982 gsf				237,982 gsf				37,347 gsf		70,722 gsf		278,754 gsf								
Peak Hour Trips:				Employees		Visitors		Staff		Visitors										Employees		Visitors						
	AM	228		134		8		572		480		1,210		**1,580**		228		154		576		32		**990**		-590		
	MD	1,440		166		10		406		720		3,326		**4,942**		1,440		192		720		38		**2,390**		-2,552		
	PM	758		156		10		572		400		3,628		**4,552**		758		180		672		36		**1,646**		-2,906		
	Sat MD	888		42		4		174		312		3,326		**4,260**		888		48		176		10		**1,122**		-3,138		
Person Trips:																												
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	*In*	*Out*	*Total*
AM	**Auto**	6	6	15	1	2	0	108	8	113	7	473	58	**496**	**65**	6	6	64	4	64	4	8	0	**142**	**14**	*-354*	*-51*	*-405*
	Taxi	6	6	3	0	1	0	54	3	113	7	8	1	**18**	**7**	6	6	1	0	11	1	5	0	**23**	**7**	*5*	*0*	*5*
	Subway	6	6	77	5	2	0	161	10	131	8	346	43	**431**	**54**	6	6	46	4	334	21	8	1	**394**	**32**	*-37*	*-22*	*-59*
	Bus	6	6	1	0	1	0	161	10	50	3	53	7	**61**	**13**	6	6	7	0	5	0	3	0	**21**	**6**	*-40*	*-7*	*-47*
	Walk/Other	90	90	30	2	2	0	54	3	45	3	197	24	**319**	**116**	90	90	26	2	127	9	7	0	**250**	**101**	*-69*	*-15*	*-84*
	Total	114	114	126	8	8	0	538	34	452	28	1,077	133	**1,325**	**255**	114	114	144	10	541	35	31	1	**830**	**160**	*-495*	*-95*	*-590*
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	*In*	*Out*	*Total*
MD	**Auto**	34	38	1	2	1	2	41	41	90	90	747	718	**783**	**760**	34	38	1	2	6	9	4	7	**45**	**56**	*-738*	*-704*	*-1,442*
	Taxi	34	38	1	1	1	1	20	20	90	90	12	11	**48**	**51**	34	38	1	1	3	4	2	4	**40**	**47**	*-8*	*-4*	*-12*
	Subway	34	38	5	7	1	2	61	61	104	104	544	523	**584**	**570**	34	38	5	8	20	31	4	6	**63**	**83**	*-521*	*-487*	*-1,008*
	Bus	34	38	5	7	0	0	61	61	40	40	83	80	**122**	**125**	34	38	5	8	20	31	1	2	**60**	**79**	*-62*	*-46*	*-108*
	Walk/Other	541	611	54	83	1	1	20	20	36	36	310	298	**906**	**993**	541	611	63	98	232	364	3	5	**839**	**1,078**	*-67*	*85*	*18*
	Total	677	763	66	100	4	6	203	203	360	360	1696	1630	**2,443**	**2,499**	677	763	75	117	281	439	14	24	**1,047**	**1,343**	*-1,396*	*-1,156*	*-2,552*
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	*In*	*Out*	*Total*
PM	**Auto**	17	21	1	18	0	2	14	100	12	88	766	831	**784**	**872**	17	21	4	76	4	76	0	9	**25**	**182**	*-759*	*-690*	*-1,449*
	Taxi	17	21	0	3	0	2	7	50	12	88	12	13	**29**	**39**	17	21	0	1	1	13	0	6	**18**	**41**	*-11*	*2*	*-9*
	Subway	17	21	5	92	0	3	21	151	14	102	559	606	**581**	**722**	17	21	3	55	21	394	0	9	**41**	**479**	*-540*	*-243*	*-783*
	Bus	17	21	0	1	0	1	21	151	5	39	85	92	**102**	**115**	17	21	0	8	0	6	0	3	**17**	**38**	*-85*	*-77*	*-162*
	Walk/Other	267	339	2	34	0	2	7	50	5	35	319	345	**588**	**720**	267	339	2	31	8	149	0	9	**277**	**528**	*-311*	*-192*	*-503*
	Total	335	423	8	148	0	10	70	502	48	352	1741	1887	**2,084**	**2,468**	335	423	9	171	34	638	0	36	**378**	**1,268**	*-1,706*	*-1,200*	*-2,906*
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	*In*	*Out*	*Total*
Sat MD	**Auto**	24	20	3	2	1	0	17	17	39	39	747	718	**775**	**740**	24	20	14	8	13	8	1	1	**52**	**37**	*-723*	*-703*	*-1,426*
	Taxi	24	20	1	0	0	0	9	9	39	39	12	11	**37**	**31**	24	20	0	0	2	1	1	1	**27**	**22**	*-10*	*-9*	*-19*
	Subway	24	20	16	10	1	0	26	26	45	45	544	523	**585**	**553**	24	20	9	6	66	43	2	1	**101**	**70**	*-484*	*-483*	*-967*
	Bus	24	20	0	0	0	0	26	26	17	17	83	80	**107**	**100**	24	20	1	1	1	1	1	0	**27**	**22**	*-80*	*-78*	*-158*
	Walk/Other	391	321	6	4	2	0	9	9	16	16	310	298	**709**	**623**	391	321	5	4	25	16	1	1	**422**	**342**	*-287*	*-281*	*-568*
	Total	487	401	26	16	4	0	87	87	156	156	1696	1630	**2,213**	**2,047**	487	401	29	19	107	69	6	4	**629**	**493**	*-1,584*	*-1,554*	*-3,138*
Vehicle Trips :																												
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	*In*	*Out*	*Total*
AM	**Auto (Total)**	3	3	12	1	1	0	108	8	68	4	415	51	**431**	**55**	3	3	56	4	51	3	5	0	**115**	**10**	*-316*	*-45*	*-361*
	Taxi	3	3	2	0	1	0	39	2	94	6	7	1	**13**	**4**	3	3	56	4	9	1	3	0	**71**	**8**	*58*	*4*	*62*
	Taxi Balanced	5	5	2	2	1	1	39	39	94	94	7	7	**15**	**15**	5	5	56	56	9	9	3	3	**73**	**73**	*58*	*58*	*116*
	Truck	1	1	1	1	0	0	3	3	0	0	0	0	**2**	**2**	1	1	1	1	4	4	0	0	**6**	**6**	*4*	*4*	*8*
	Total	9	9	15	4	2	1	150	50	162	98	422	58	**448**	**72**	9	9	113	61	64	16	8	3	**194**	**89**	*-254*	*17*	*-237*
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	*In*	*Out*	*Total*
MD	**Auto (Total)**	16	18	1	2	1	1	41	41	55	55	655	630	**673**	**651**	16	18	1	2	5	7	3	4	**25**	**31**	*-648*	*-620*	*-1,268*
	Taxi	16	18	1	1	1	1	14	14	75	75	11	10	**29**	**30**	16	18	1	2	2	3	1	3	**20**	**26**	*-9*	*-4*	*-13*
	Taxi Balanced	26	26	2	2	2	2	21	21	113	113	16	16	**46**	**46**	26	26	3	3	4	4	4	4	**37**	**37**	*-9*	*-9*	*-18*
	Truck	1	1	1	1	0	0	4	4	0	0	0	0	**2**	**2**	1	1	1	1	5	5	0	0	**7**	**7**	*5*	*5*	*10*
	Total	43	45	4	5	3	3	66	66	168	168	671	646	**721**	**699**	43	45	5	6	14	16	7	8	**69**	**75**	*-652*	*-624*	*-1,276*
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	*In*	*Out*	*Total*
PM	**Auto (Total)**	8	10	1	14	0	1	14	100	7	53	672	729	**681**	**754**	8	10	4	67	3	60	0	6	**15**	**143**	*-666*	*-611*	*-1,277*
	Taxi	8	10	0	2	0	1	5	36	10	73	11	11	**19**	**24**	8	10	0	1	1	10	0	4	**9**	**25**	*-10*	*1*	*-9*
	Taxi Balanced	14	14	2	2	1	1	39	39	78	78	17	17	**34**	**34**	14	14	1	1	11	11	4	4	**30**	**30**	*-4*	*-4*	*-8*
	Truck	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**	0	0	0	0	1	1	0	0	**1**	**1**	*1*	*1*	*2*
	Total	22	24	3	16	1	2	53	139	85	131	689	746	**715**	**788**	22	24	5	68	15	72	4	10	**46**	**174**	*-669*	*-614*	*-1,283*
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	In	Out	In	Out	In	Out	In	Out	**In**	**Out**	*In*	*Out*	*Total*
Sat MD	**Auto (Total)**	11	10	2	2	1	0	17	17	24	24	655	630	**55**	**53**	11	10	12	7	10	6	1	1	**34**	**24**	*-21*	*-29*	*-50*
	Taxi	11	10	1	0	0	0	6	6	33	33	11	10	**51**	**49**	11	10	0	0	2	1	1	1	**14**	**12**	*-37*	*-37*	*-74*
	Taxi Balanced	16	16	1	1	0	0	9	9	50	50	16	16	**76**	**76**	16	16	0	0	2	2	2	2	**20**	**20**	*-56*	*-56*	*-112*
	Truck	0	0	0	0	0	0	0	0	0	0	0	0	**0**	**0**	0	0	0	0	0	0	0	0	**0**	**0**	*0*	*0*	*0*
	Total	27	26	3	3	1	0	26	26	74	74	671	646	**131**	**129**	27	26	12	7	12	8	3	3	**54**	**44**	*-77*	*-85*	*-162*

No-Action Total Vehicle Trips:	In	Out	Total
AM	448	72	520
MD	721	699	1420
PM	715	788	1503
Sat MD	131	129	260

With-Action Total Vehicle Trips:	In	Out	Total	*In*	*Out*	*Total*
AM	194	89	283	*-254*	*17*	*-237*
MD	69	75	144	*-652*	*-624*	*-1,276*
PM	46	174	220	*-669*	*-614*	*-1,283*
Sat MD	54	44	98	*-77*	*-85*	*-162*

VIII. AIR QUALITY

Mobile Sources

As stated in the *CEQR Technical Manual*, a project—whether site-specific or generic—may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants, or add new users near mobile sources. According to the CEQR screening threshold criteria for the City, if 170 or more project-generated vehicles pass through an intersection in any given peak period or if a project would result in a substantial number of local or regional diesel vehicle trips, there is the potential for mobile air quality impacts and a detailed analysis is required.

As described in Section VII, "Transportation," above, the Proposed Action would result in a net decrease in the number of vehicle trips in all four peak hours, as compared to the No-Action condition. As such, incremental project-generated vehicles would not exceed the CEQR mobile source air quality screening threshold of 170 vehicles and would not generate a substantial number of diesel vehicle trips. As such, the Proposed Development would not result in significant adverse mobile source air quality impact and a mobile source air quality analysis is not warranted.

Stationary Sources

Actions can result in stationary source air quality impacts when they (1) create new stationary sources of pollutants such as emission stacks from industrial plants, hospitals, or other large institutional uses, or when a building's boiler stack(s) used for heating/hot water, ventilation, or air conditioning systems (HVAC) affect surrounding uses; (2) introduce new sensitive receptors near existing (or planned future) emissions stacks that may adversely affect the new use; or (3) introduce potentially significant odors. No odors are associated with the Proposed Development. However, as the Proposed Development is expected to use fossil fuels (natural gas) for HVAC purposes, an analysis is required by CEQR and has been provided in **Attachment G**.

Industrial Sources

A preliminary assessment was performed to determine if any industrial source emissions exist within a 400-foot radius of the Development Site. As shown in **Figure 2** of the EAS form, the area surrounding the Development Site is primarily characterized by a mix of industrial and manufacturing uses. However, a property record search of available DEP permits revealed that there are no active large manufacturing/industrial uses within a 400-foot radius. This finding was confirmed by DEP on April 29, 2015. In addition, no existing large combustion sources which may contribute to the pollutant concentration at the identified receptors, such as power plants, cogeneration facilities, etc., were found within 1,000 feet of the Proposed Development Site. As no large emission sources were identified, no existing land uses are expected to have a significant impact on the Proposed Development, and no further analysis is warranted. Therefore, as the Proposed Project would not result in sensitive uses within 400-feet of a facility containing industrial source emissions and would not create large emission sources nor locate sensitive uses near large emission sources, there would not be any significant manufacturing/industrial stationary source air quality impacts associated with the Proposed Project.

IX. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Greenhouse Gas Emissions

As discussed in the *CEQR Technical Manual*, increased concentrations of greenhouse gases (GHG) are changing the global climate, resulting in wide-ranging effects on the environment, including rising sea levels and intensity, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. Through *OneNYC*, New York City's long-term sustainability program, the City advances sustainability initiatives and goals to both greatly reduce GHG emissions and increase the City's resilience to climate change. The New York City Climate Protection Act, enacted as Local Law 22 of 2008, established the goal to reduce citywide GHG emissions to 30 percent below 2005 levels by 2030 (the "GHG reduction goal"). This goal was developed for the purpose of planning for an increase in population of almost one million residents while achieving significant greenhouse gas reductions. On November 13, 2014, the City Council passed a bill to reduce citywide greenhouse gas emissions by 80 percent by 2050 (INT. 378).

The contribution of a Proposed Development's GHG emissions to global GHG emissions is likely to be considered insignificant when measured against the scale and magnitude of global climate change. However, certain projects' contribution of GHG emissions still should be analyzed to determine their consistency with the City's GHG reduction goal, which is currently the most appropriate standard by which to analyze a project under CEQR. The GHG consistency assessment focuses on those projects that have the greatest potential to produce GHG emissions that may result in inconsistencies with the GHG reduction goal to a degree considered significant. Correspondingly, those projects have the greatest potential to reduce those emissions through the adoption of project measures and conditions. The *CEQR Technical Manual* recommends that a GHG consistency assessment be conducted for larger projects undergoing an environmental impact statement (EIS) that would also result in development of 350,000 gsf or more of development. While the Proposed Development would exceed 350,000 gsf, the incremental development would be approximately 120,380 gsf smaller than the planned No-Action development. Further, the Proposed Development is not undergoing an EIS. As such, the Proposed Development does not meet the CEQR criteria warranting a detailed GHG analysis.

Climate Change

Although significant climate change impacts are unlikely to occur in the analysis year for most projects, depending on a project's sensitivity, location, and useful life, it may be appropriate to provide a qualitative discussion of the potential effects on climate change on a Proposed Development in environmental review. The *CEQR Technical Manual* recommends that such a discussion should focus on early integration of climate change considerations into the project and may include proposals to increase climate resilience and adaptive management strategies to allow for uncertainties in environmental considerations resulting from climate change.

Pursuant to CEQR, rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed. As stated in the *CEQR Technical Manual*, for site-specific development plans, an analysis of consistency with Policy 6.2 of the Revised WRP may provide sufficient information to assess the potential effects of sea level rise, storm surge, and coastal sea flooding. As such, an analysis of Policy 6.2 of the Revised WRP is provided below.

Policy 6.2 of the Revised WRP states that consideration of the latest New York City projections of climate change and sea level rise (as published by the New York Panel on Climate Change [NPCC], or any successor thereof) should be integrated into the planning and design of projects in the City's Coastal Zone. As discussed in the "Waterfront Revitalization Program," section of **Attachment C, "Land Use, Zoning, and Public Policy,"** portions of the Proposed Development Site fall within the 500-year flood zone. Based on future 100-year and 500-year flood zone projections for the 2020s and 2050s, the areas of the Proposed Development Site expected to be within the 500-year flood zone will increase in the future; the NPCC projects that the entirety of the Proposed Development Site will fall within the 500-year flood zone by the 2050s (see **Figure C-9** in **Attachment C, "Land Use, Zoning, and Public Policy"**). In addition, the 100-year flood zone, which currently does not extend into the Proposed Development Site, is expected to extend into the western portion of the Proposed Development Site in the future.

The Applicant has incorporated several design considerations with potential future flooding in mind, should the base flood elevation rise to these projected elevations in the future. The foundation, in addition to supporting the gravity weight and lateral loads of the proposed building, has been designed to resist below-grade hydrostatic forces. Consisting of a fully-waterproofed "bathtub" type reinforced concrete mat and walls, and supplemented by tie-down anchors where needed, the foundation will resist hydrostatic uplift forces using the weight of its own superstructure. In addition, the portion of the proposed building that falls within flood zones, located at the northwest corner of the Proposed Development Site, has been designed to resist flood loads. Finally, mechanical equipment for the proposed building will be located off the ground, on the second level and on the roof.

X. NOISE

A noise analysis examines an action for its potential effects on sensitive noise receptors (which can be both indoors and outdoors), including the effects on the interior noise levels of residential, commercial, and certain community facility uses, such as hospitals, schools, and libraries. The principal types of noise sources affecting the City are mobile sources (primarily motor vehicles), stationary sources (typically machinery or mechanical equipment associated with manufacturing operations or building HVAC systems) and construction noise (e.g., trucks, bulldozers, power tools, etc.). An initial impact screening would consider whether a proposed action would generated any mobile or stationary source noise, or would be located in an area with high ambient noise levels.

Mobile Source Screening

According to the *CEQR Technical Manual*, a detailed mobile source analysis is generally performed if a proposed action would increase noise passenger car equivalent (noise PCE) values by 100 percent or more. As presented in Section VII, "Transportation," above, the Proposed Action would result in a net reduction in vehicle trips, as compared to the No-Action condition, and therefore would not increase noise PCE values. As such, no significant mobile source noise impacts are anticipated and a detailed analysis is not warranted.

Stationary Source Screening

According to the *CEQR Technical Manual*, a detailed stationary source analysis is generally performed if a proposed action would cause a substantial stationary source (i.e., unenclosed equipment for building ventilation purposes) to be operating within 1,500 feet of a receptors with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses.

The Proposed Action would not meet any of these criteria. It is expected that the rooftop mechanical equipment would be located within enclosed mechanical bulkheads or would be designed to meet all applicable noise regulations and to avoid producing levels that would result in any significant adverse noise impacts. The Proposed Development would also not be located in an area with high ambient noise levels resulting from stationary sources. Therefore, the Proposed Development would not result in any stationary source noise impacts and no further analysis is warranted.

Sensitive Receptor Analysis

According to the *CEQR Technical Manual,* a detailed noise analysis may be warranted if a sensitive receptor screening determines that a Proposed Development would introduce a new noise-sensitive location (a "receptor") in an area with high ambient noise levels, which typically include those sites near heavily-trafficked thoroughfares, airports, rail, or other loud activities. Receptors are usually defined as an area where human activity may be adversely affected when noise levels exceed predefined thresholds of acceptability or when noise levels increase by an amount exceeding a predefined threshold of change. As stated in the *CEQR Technical Manual*¸ indoor receptors include residences, hotels, motels, health care facilities, nursing homes, schools, houses of worship, court houses, public meeting facilities, museums, libraries, and theaters; outdoor receptors include parks, outdoor theaters, golf courses, zoos, campgrounds, and beaches. As the surrounding area contains industrial and commercial uses, existing sensitive receptors in the vicinity of the Proposed Development Site are limited. However, the Proposed Development would introduce new commercial office in an area that is located near a heavily trafficked thoroughfares, including Kent Avenue and Wythe Avenue. As commercial office uses require an interior condition at or below 50 dBA, an E-designation will be placed on the site to ensure that the Proposed Development provides the appropriate attenuation. The E-designation for the Proposed Development is provided below:

> **To ensure an acceptable interior noise environment, future commercial uses on Block 2282 Lot 1 must provide a closed window condition with a minimum of 26 dBA window/wall attenuation on all building's façades to maintain an interior noise level of 50 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.**

With the E-designation for noise, no significant adverse noise impacts to sensitive receptors are anticipated.

XI. PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, water quality, hazardous materials, and noise.

According to the guidelines of the 2014 *CEQR Technical Manual,* a public health assessment may be warranted if a project results in (a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; (b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect groundwater to be used as a source of drinking water; (c) solid waste management practices that could attract vermin and result in an increase in pest populations; (d) potential significant adverse impacts to sensitive receptors from noise and odors; (e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts; (f) exceedances of accepted federal, state,

or local standards; or (g) other actions that might not exceed the preceding thresholds but might, nonetheless, result in significant health concerns.

As detailed in the analyses provided in this EAS, the Proposed Development would not result in significant adverse impacts in the areas of air quality, water quality, hazardous materials, or noise. Therefore, the Proposed Development does not have the potential to result in significant adverse public health impacts, and a further assessment is not warranted.

XII. NEIGHBORHOOD CHARACTER

As this EAS provides a detailed analysis of land use, zoning, and public policy and socioeconomic conditions, a preliminary screening analysis is needed to determine if a detailed neighborhood character analysis is needed.

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct "personality." According to the 2014 *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in significant adverse impacts on any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation or noise. Per the analyses provided in this EAS, although the Proposed Development required supplemental screening or detailed analyses of some of these technical areas, there would be no project-generated significant adverse impacts.

The *CEQR Technical Manual* also states that for projects not resulting in significant adverse impacts to any technical areas related to neighborhood character, additional analyses may be required to determine if the Proposed Development would result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. However, the *CEQR Technical Manual* indicates that neighborhood character impacts are rare and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects in the neighborhood would result in any significant adverse impact to neighborhood character.

The Proposed Action would not adversely affect any component of the surrounding area's neighborhood character. The Proposed Action would facilitate the redevelopment of a large underutilized site into a productive predominantly office development by 2018. The Proposed Action would continue the existing trend in commercial office construction in the Williamsburg Northside neighborhood and would not conflict with the surrounding activities or land use patterns. In addition, as noted above, the Proposed Action would not result in significant increases in traffic and noise levels in the area.

The requested Special Permits to modify use, bulk, accessory off-street parking and loading requirements would require that industrial uses be provided in all future developments and would exclude certain uses (including hotels) from the bonus commercial floor area permitted under the Special Permit. As such, the proposed zoning text amendment is intended to maintain the area's existing industrial character by incentivizing other job-generating uses, including manufacturing jobs.

Overall, the Proposed Action would not result in any significant adverse impacts to neighborhood character and no further analysis is warranted.

XIII. CONSTRUCTION

Although temporary, construction impacts can include noticeable and disruptive effects from an action that is associated with construction or could induce construction. Determination of the significance of the construction impacts and the need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, and/or air quality conditions.

Under both the No-Action and With-Action conditions, a new building would be constructed on the Proposed Development Site. Both the No-Action and With-Action buildings are expected to have short-term overall construction schedules of less than 24 months. As noted above, remediation activities associated with the Proposed Development Site have already been completed, and demolition and excavation activities are underway. Construction under the Proposed Action is expected to be comparable to the No-Action construction, with potentially several additional months of interior construction associated with the office uses developed in the With-Action condition. As construction activities would occur on the Proposed Development Site in the No-Action condition, the incremental interior construction attributed to the additional non-parking floor area would be minimal. Overall, any construction project could result in temporary disruption in the surrounding community, including occasional noise and dust. However, the proposed action would not result in any additional high intensity construction activities (i.e., excavation, foundation, or superstructure work). Incremental construction activities associated with the proposed action would be primarily interior, and would therefore have minimal effects on the surrounding community.

Moreover, during construction of the Proposed Development, all necessary measures would be implemented to ensure than the New York City Air Pollution Control Code regulating construction-related dust emissions and the New York City Noise Control Code regulation construction noise are followed. By implementing these management measures and controls, any effects associated with construction would be minimized.

As the Proposed Development Site would be developed over a comparable construction schedule in the future with and without the proposed action, the Proposed Development would not result in any additional high intensity construction activities, and the overall construction schedule would be short-term (i.e., less than 24 months), the Proposed Development would not result in significant adverse impacts during construction and further analysis is not required.

Attachment C

Land Use, Zoning and Public Policy

I. INTRODUCTION

Under the *City Environmental Quality Review* (CEQR) *Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed project, and determines whether the proposed project is compatible with those conditions or may affect them. Similarly, the analysis considers the project's compliance with, and effect on, the area's zoning and other applicable public policies.

The Proposed Development would change land use on the Williamsburg, Brooklyn block bounded by Kent and Wythe Avenues (to the west and east, respectively) and North 12th Street and North 13th Street (to the south and north, respectively), from industrial and storage uses to a mix of office and retail uses. The Proposed Development would require a zoning text amendment and related special permits (together with the development of the Proposed Development Site will be referred to as the Proposed Action).

Under CEQR guidelines, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on the site, regardless of the project's anticipated effects. CEQR also requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas. Since this EAS includes detailed assessments for a number of technical areas, a detailed land use and zoning assessment is provided. In addition, as the Proposed Action involves a portion of the Greenpoint-Williamsburg Industrial Business Zone (IBZ) that is zoned M1-2, a detailed public policy assessment is also provided. The detailed assessment discusses existing conditions and future conditions without and with the Proposed Development (the No-Action and With-Action conditions) in the 2018 analysis year for both a primary study area (includes the Proposed Development Site/proposed Industrial Business Incentive Area) as well as a 400-foot study area.

II. PRINCIPAL CONCLUSIONS

As described below, the Proposed Action would not result in significant adverse impacts to land use, zoning or public policy on the Proposed Development Site where the proposed Special Permit Area (which corresponds to the Development Site's boundaries) would be available or in the 400-foot study area. The Proposed Action would allow a new commercial office, light industrial/manufacturing and local retail development in an area where there is a strong demand for these particular uses. Additionally, the Proposed Development would support light industrial/manufacturing uses in an existing IBZ. The Proposed Development would also introduce ground-floor retail on Block 2282, in an area that does not have an abundance of local retail uses. The Proposed Development would be built at a density and bulk compatible with the other newly developed properties in the area, including the two hotels that are currently being constructed within the 400-foot study area. As such, the Proposed Action would result in development that, in addition to being appropriate for the area, would complement and improve the mixed land use character of the 400-foot study area as a whole.

The building will contain three categories of uses within the existing maximum floor area ratio of 4.8. These categories are (i) as-of-right uses permitted in the underlying M1-2 district (excluding transient hotels); (ii) M1-2 uses excluding hotels, storage, and certain other uses, and (iii) a limited list of uses

focused on encouraging light manufacturing. In order to facilitate the Proposed Project, the following land use actions are required:

A. A zoning text amendment ("Zoning Text Amendment") to create Section 74-96 of the Zoning Resolution of the City of New York (the "Zoning Resolution" or "ZR"). The proposed Zoning Text Amendment would establish and map an Industrial Business Incentive Area. Additionally, the Zoning Text Amendment would create special permits that would be available to properties within the defined boundaries of the Industrial Business Incentive Area. The newly created special permits would allow modifications to the use, bulk, and accessory off-street parking and loading requirements of the existing zoning district through a series of findings and conditions that are required for the special permit application (described in detail below). The Industrial Business Incentive Area, created by the proposed Zoning Text Amendment, would contain the same boundaries as the Applicant-owned Development Site. The New York City Department of City Planning (NYCDCP) will be acting as a co-applicant for the Zoning Text Amendment, but is not a co-applicant for the two special permit applications described below.

B. A special permit pursuant to Section 74-962 (Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Areas) to allow a change of uses within the maximum 4.8 floor area ratio (FAR) that is permitted under existing zoning for community facility uses. The Zoning Text Amendment would incentivize the construction of commercial and/or manufacturing buildings that allocate a portion of their floor area to certain light industrial uses in Use Groups 11A, 16A, 16B, 17B, and 17C, as specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries (Use Group 18A) as listed in Section 42-15 (collectively, "Required Industrial Uses"). To incentivize construction of Required Industrial Uses, the Zoning Text Amendment would allow additional floor area devoted to Incentive Uses. "Incentive Uses" are all uses permitted by the underlying M1-2 district, with the following exceptions: transient hotels in Use Group 5 (as specified in Section 32-14); uses in Use Groups 6A and 6C (as specified in Section 32-15); uses in use group 7A as specified in Section 32-16, uses in Use Group 8C (as specified in Section 32-17); uses in Use Group 10A and any retail spaces accessory to wholesale offices or showrooms, with storage restricted to samples in Use Group 10B (as specified in Section 32-19); uses in Use Groups 12 and 13 (as specified in Sections 32-21 and 32-22); and moving or storage offices with no limitation as to storage or floor area per establishment, packing or crating establishments, and warehouses (as specified in Section 32-25). For projects that devote one square foot of floor area to Required Industrial Uses, the proposed zoning allows a 3.5 square foot increase in maximum allowable floor area permitted beyond the 2.0 FAR limitation on commercial and industrial uses of the underlying M1-2 district if certain design, envelope and urban design findings are met (provided that such development or enlargement does not include a transient hotel), and provided that such development or enlargement does not include a transient hotel. In no event may the resulting FAR exceed the maximum 4.8 FAR permitted in the M1-2 district. The Proposed Development would provide sufficient Required Industrial Uses to capture the full 2.0 FAR available, though the Proposed Development would consist of 4.75 FAR.

C. A special permit pursuant to Section 74-963 (parking and loading modifications in Industrial Business Incentive Areas) to modify the number of loading berths and parking spaces required for the Proposed Development pursuant to the existing M1-2 zoning. The Proposed Development would provide three loading docks and a 275-space below-grade parking garage to satisfy the anticipated on-site demand.

The special permit is requested to facilitate development of the 80,000 sf Proposed Development Site. The Zoning Text Amendment would incentivize the construction of commercial and/or manufacturing buildings that allocate a portion of their floor area to a limited list of uses focused on encouraging light manufacturing, including certain light industrial uses in Use Groups 11A, 16A, 16B, 17B, and 17C, as

specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries as listed in Section 42-15 (collectively, "Required Industrial Uses"). To incentivize construction of Required Industrial Uses, the Zoning Text Amendment would allow additional floor area devoted to Incentive Uses, which are defined as all uses permitted by the underlying M1-2 district, with the exception of transient hotels in Use Group 5, as specified in Section 32-14; uses in Use Groups 6A and 6C as specified in Section 32-15; uses in Use Group 7A as specified in Section 32-16; uses in Use Group 8C as specified in Section 32-17; uses in Use Group 10A and any retail spaces accessory to wholesale offices or showrooms with storage restricted to samples in Use Group 10B as specified in Section 32-19; uses in Use Groups 12 and 13 as specified in Sections 32-21 and 32-22; and moving or storage offices with no limitation as to storage or floor area per establishment, packing or crating establishments, and warehouses as specified in Section 32-25 ("Incentive Uses"). For projects that devote one square foot of floor area to Required Industrial Uses, the proposed zoning allows a 3.5 square foot increase in allowable floor area permitted beyond the 2.0 floor area ratio limitation on commercial and industrial uses of the underlying M1-2 district, provided that such development or enlargement does not include a transient hotel.

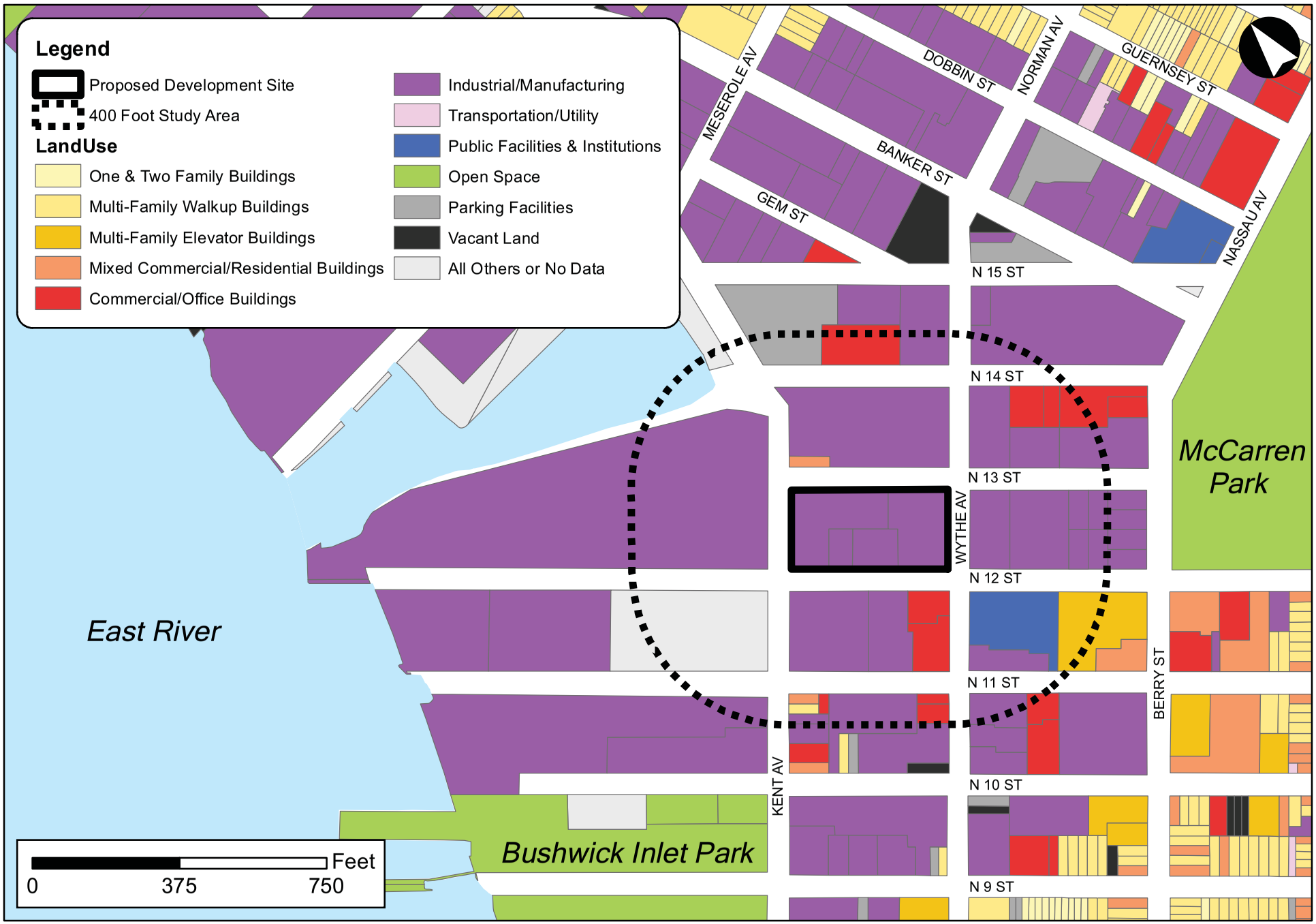
By allowing Required Industrial Uses and Incentive Uses to occupy floor area beyond that permitted by the M1-2 use limitations, the Zoning Text Amendment seeks to diversify the economic base within the Project Area and increase employment. As such, the Proposed Action is not anticipated to result in significant adverse zoning impacts.

As discussed below, the Proposed Action would result in the development of 34,347 gsf of ground-floor retail space and 14,400 sf of public plazas located on opposite corners of the Proposed Development Site. On the eastern side of the Proposed Development Site, an approximately 7,200 sf public plaza would be located on the north-west corner of Wythe Avenue and North 12th Street. On the western side of the Proposed Development Site, an approximately 7,200 sf public plaza would be located on the south-east corner of Kent Avenue and North 13th Street. Together these public plazas would be linked by a 40 foot wide partially covered and publicly-accessible pedestrian walkway located at grade approximately midway between North 12th and North 13th Street, connecting the neighborhood to the anticipated park to the west. Together the public plazas and publicly-accessible pedestrian walkway would help to further the *OneNYC* Housing and Neighborhood goal of promoting walkable destinations for retail and other services.

Finally, based on the Waterfront Revitalization Program (WRP) Consistency Assessment Form (CAF) completed for the Proposed Development, which is provided in **Appendix IV**, two policies require further assessment. As indicated below, the assessment provided herein found that the Proposed Development would be consistent with all applicable policies. Therefore, the Proposed Development would not result in any significant adverse impacts related to the WRP and the Proposed Action would not result in any significant adverse impacts to public policies.

III. METHODOLOGY

As noted above, the Proposed Development requires a zoning text amendment and associated special permits—both discretionary actions—which would affect land use, zoning, and public policy. Land use, zoning, and public policy are addressed and analyzed for two geographical areas for the Proposed Development. For the purpose of this assessment, the primary study area encompasses the project site (Brooklyn Block 2282, Lot 1) and is bounded by Kent Avenue to the west, North 13th Street to the north, Wythe Avenue to the east, and North 12th Street to the south (see **Figure C-1**). The Industrial Business Incentive Area would be mapped on the project site.



25 Kent EAS

Figure C-1
Area Land Uses

The 400-foot study area encompasses areas that have the potential to experience indirect impacts as a result of the Proposed Action. As indicated above, the 400-foot study area extends approximately 400 feet from the boundary of the project site. The 400-foot study area is generally bounded by the midway point between North 14th Street and North 15th Street to the north, lots fronting Berry Street on the east, the midway point between North 10th Street and North 11th Street to the south, and also includes portions of several waterfront blocks located west of Kent Avenue. The study areas have been established in accordance with *CEQR Technical Manual* guidelines and can be seen in **Figure C-1**.

The analysis of land use, zoning, and public policy provides a description of the existing land use, zoning, and public policy conditions in the study areas. It also projects land use, zoning, and public policy conditions in the 2018 year without the Proposed Development (the "No-Action" condition). The No-Action condition is developed by identifying developments and other relevant changes anticipated to occur within this time frame. The No-Action condition describes the baseline conditions in the study areas against which the Proposed Action's incremental changes are measured. Finally, the analysis projects land use, zoning, and public policy conditions in 2018 with the completion of the Proposed Action (the "With-Action" condition).

Existing land uses were identified through review of a combination of sources, including field surveys and secondary sources such as the 2005 *Greenpoint-Williamsburg Rezoning Final Environmental Impact Statement* (FEIS), the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2013, and websites such as NYC Open Accessible Space Information System (OASIS) and NYCityMap. New York City Zoning Maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts in the study areas and provided the basis for the zoning evaluation of the future No-Action and With-Action conditions. Relevant public policy documents, recognized by the New York City Department of City Planning (DCP) and other City agencies were utilized to describe existing public policies pertaining to the study areas. In addition, as the project site falls within the City's designated Coastal Zone, the WRP CAF was prepared and is provided in **Appendix IV**.

IV. PRELIMINARY ASSESSMENT

A preliminary assessment, which includes a basic description of existing and future land use and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. However, under CEQR guidelines, if a detailed assessment is required in the technical areas of socioeconomic conditions, neighborhood character, transportation, air quality, noise, infrastructure, or hazardous materials, a detailed land use assessment is appropriate. As this EAS provides detailed assessments of socioeconomic conditions, infrastructure, and a preliminary air quality analysis, a detailed assessment of land use and zoning is warranted and provided in Section V, below.

In addition, some assessment of public policy should accompany an assessment of land use and zoning. According to the *CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports that pertain to the study area. If the proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted. Otherwise, no further analysis of public policy is necessary.

As described above, the Proposed Development involves: A) A text amendment to create Section 74-96 of the Zoning Resolution to allow modifications to the use, bulk, accessory off-street parking and loading requirements for properties within an "Industrial Business Incentive Area" by special permit of the City

Planning Commission; B) A special permit pursuant to Section 74-962 (Floor area increase and public plaza modifications in Industrial Business Incentive Areas) to allow a floor area increase to be used for certain Incentive Uses (as defined herein) and public plaza modification for the Proposed Development; and C) A special permit pursuant to Section 74-963 (Parking and loading modifications in Industrial Business Incentive Areas) to allow a modification of the loading berths required for the Proposed Development. As such, a detailed assessment of public policies is warranted and is also provided below.

V. DETAILED ASSESSMENT

Existing Conditions

Land Use

Primary Study Area/ Proposed Industrial Business Incentive Area

As described above, the primary study area encompasses the Proposed Development Site and is bounded by Kent Avenue to the west, North 13th Street to the north, Wythe Avenue to the east, and North 12th Street to the south. The approximately 80,000 sf Proposed Development Site occupies an entire block (Brooklyn Block 2282, Lot 1) in the North Side neighborhood of Williamsburg, Brooklyn.

The Proposed Development Site, formerly occupied by a construction equipment rental company, is currently being developed as-of-right in accordance with the M1-2 regulations. On August 6, 2014, pursuant to New Building Permit No. 320591944, the Proposed Development Site was granted approval by the New York City Department of Buildings to construct an 11-story commercial and community facility office building containing 383,040 square feet of floor area and 1,100 parking spaces. This building, which is permitted as-of-right by the M1-2 district, would rise to a height of 153 feet to the top of the mechanical equipment. On February 20, 2014, pursuant to Demolition Permit No. 320961562, the Proposed Development Site was granted approval to begin site clearance. On August 6, 2014, pursuant to New Building Permit No. 320591944, the Proposed Development Site was granted approval to begin construction of the foundations for this building. Site clearance has been completed and the applicant intends to start excavation, foundation work, and site remediation through early 2016.

The Proposed Development Site (zoned M1-2) is located within the 175-block area rezoned in the 2005 Greenpoint-Williamsburg Rezoning. M1 districts are often buffers between M2 and M3 districts and adjacent residential or commercial districts. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels, and most retail uses are also permitted. Certain community uses, such as ambulatory care facilities, are allowed in M1 districts, and houses of worship are permitted as-of-right. M1-2 districts allow maximum floor area ratio (FAR) of 2.0 for manufacturing and commercial uses and 4.8 for community facility uses, and building height and setbacks are controlled by a sky exposure plane. Within M1-2 districts, off-street parking is required and varies by use. Prior to the Greenpoint-Williamsburg Rezoning, the Proposed Development Site was zoned M3-1.

The primary study area is served by several public transit options. The Nassau Avenue G subway station (to the northeast at the intersection of Nassau and Manhattan Avenues) and the Bedford Avenue L subway station (to the south at the intersection of Bedford Avenue and North 7th Street) are both located approximately 0.5 miles from the project site. In addition, the B32 (connecting Williamsburg Bridge Plaza and Long Island City) runs along Kent and Wythe Avenues, the B62 (connecting Downtown Brooklyn/Fulton Mall and Long Island City) runs along Bedford and Driggs Avenues, and the B43 (connecting Lefferts Gardens/Prospect Park and Greenpoint) runs along Manhattan Avenue. The North Williamsburg stop on the East River Ferry route is located less than 0.5 miles to the south of the project site at the western terminus of North 5th Street.

400-Foot Study Area

As indicated above, the 400-foot study area encompasses areas that have the potential to experience indirect impacts as a result of the Proposed Development. The 400-foot study area extends a block and a half to the north and south of the project site and approximately a block to the east and west. Like the rest of waterfront Williamsburg and Greenpoint, this area was developed more than 100 years ago, during Brooklyn's industrial age, when both sides of the East River were dominated by large commercial docks, factories, oil refineries, and shipyards. Inland from the waterfront, neighborhoods developed to house workers for these industrial uses. Over time, as manufacturing operations on the waterfront declined, these neighborhoods developed their unique blend of residential and commercial uses.

In recent years, these neighborhoods have grown and adapted. As refineries and shipyards have departed, new businesses have emerged to take their place. Due to its character, proximity to Manhattan, eclectic building typologies, and comparatively lower rents, by the end of the 20th Century, Williamsburg and Greenpoint had become a sought-after community for artists and Manhattan commuters. However, the industrial areas nearest the waterfront, including the Proposed Development Site and large lots in the vicinity of the Proposed Development Site, remained largely underutilized, a product of restrictions on residential use and ever-evolving economic conditions.

While new development in the Greenpoint-Williamsburg IBZ has tended toward entertainment and nightlife uses, Brooklyn as a whole has seen resurgence in its office base. A spike in demand from the media, technology, and creative industries has led to very low inventory of available commercial space in Downtown Brooklyn, DUMBO, and Williamsburg. Commonly cited reasons given for this demand include the desire of tenants to occupy converted loft-spaces and the attraction of operating in close proximity to the communities in which their workforces live.

The predominant land uses in the 400-foot study area are a mix of light manufacturing, commercial, hotel and some residential (see **Figure C-1**). As described in **Attachment A, "Project Description,"** areas to the north, south, and east of the Proposed Development Site are mapped with Greenpoint-Williamsburg Special Mixed Use Districts (MX-8). The MX-8 was mapped in 2005 to encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses in close proximity and create expanded opportunities for new mixed-use communities. New residential and non-residential uses (commercial, community, facility, and light industrial) can be developed as-of-right and can be located side-by-side or within the same building in MX districts.

As part of the 2005 Greenpoint-Williamsburg Rezoning, the Greenpoint-Williamsburg Waterfront Action Plan (WAP) was established and formalized within the zoning text. The Greenpoint-Williamsburg WAP tailors the public access requirements of waterfront zoning to the specific conditions of a particular waterfront, specifying the locations of particular access elements. Parcel 20 of the WAP is located immediately west of the Proposed Development Site. Parcel 20, along with adjacent Parcels 19, 21, and 22 are designated as public parks under Zoning Resolution (ZR) Section 62-931(d)(10).

To facilitate creation of this future waterfront park, portions of several streets to the west of the Proposed Development Site were de-mapped in conjunction with the 2005 Greenpoint-Williamsburg Rezoning. The resultant parcel was mapped as an "Inlet Park" bounded by North 7th Street to the south, Kent Avenue/Franklin Street to the east, Quay Street to the north, and the U.S. Pierhead Line to the west. While it is intended that this park be developed at some point in the future, the site is currently occupied by predominantly industrial and storage uses, and only a portion of the area has been developed into public parkland. Sites acquired include Bushwick Inlet (Block 2301), Bayside Fuel (1 North 12th Street), and 50 Kent Avenue (Block 2287, Lot 1). East River State Park occupies the area between North 7th and North 9th Street, and Bushwick Inlet Park currently occupies the area between North 9th and North 10th

Street and the eastern portion of the block bounded by North 11th and North 12th Street and Kent Avenue.

Another significant public open space near the study area is the 35-acre McCarren Park which lies on the border of Greenpoint and Williamsburg, one block east of the project site. While McCarren Park is located outside of the 400-foot study area being considered for this project, it is noteworthy due to its size and due to the close proximity of this open space to the study area.

It should also be noted that construction is currently underway at three sites in the 400-foot study area, including 55 Wythe Avenue (Block 2283, Lot 1), 96 Wythe Avenue (Block 2295, Lot 21) and 97 Wythe Avenue (Block 2303, Lot 1). As described in greater detail below, the planned developments on these sites would consist of new hotels. No other projects are currently underway or expected to be complete by the 2018 build year.

Zoning

The applicable zoning districts in the proposed Industrial Business Incentive Area and 400-foot study area are discussed below and summarized in **Table C-1**.

Table C-1: Study Area Zoning Districts

District	Definition/General Use	Maximum FAR
M1-1	Light manufacturing—high performance district. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. Building heights are governed by sky exposure planes. Parking requirements vary with use.	R: Not permitted C: 2.0 CF: 4.8 (Use Group 4 only) M: 2.0
M1-2		R: Not permitted C: 1.0 CF: 2.4 (Use Group 4 only) M: 1.0
MX8 (M1-2/R6-A)	Special Mixed Use District. Mixed-use buildings in these districts have a maximum FAR not exceeding the maximum FAR for residential, commercial, or manufacturing uses, whichever is greatest.	R: 3.0 C: 2.0 CF: 3.0 M: 2.0
M3-1	Manufacturing—heavy industries. M3 districts are usually located near the waterfront and buffered from industrial uses.	R: Not permitted C: 2.0 CF: Not permitted M: 2.0

Notes: CF: community facility; R: residential; C: commercial; M: manufacturing

Primary Study Area/Industrial Business Incentive Area

The Proposed Development Site (zoned M1-2) is located within the 175-block area rezoned in the 2005 Greenpoint-Williamsburg Rezoning. M1 districts are often buffers between M2 and M3 districts and adjacent residential or commercial districts. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels, and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are permitted as-of-right. M1-2 districts allow maximum FAR of 2.0 for manufacturing and commercial uses and 4.8 for community facility uses (Use Group 4, only), and building height and setbacks are controlled by a sky exposure plane. Within M1-2 districts, off-street parking is required and varies by use. Prior to the Greenpoint-Williamsburg Rezoning, the Proposed Development Site was zoned M3-1.

400-Foot Study Area

The 2005 Greenpoint-Williamsburg Rezoning resulted in new zoning that permitted lighter industrial uses and allowed residential uses in certain areas. The Greenpoint-Williamsburg Rezoning included street demappings, zoning text amendments, and zoning map changes, including a zoning map change to the proposed 400-foot study area. To better reflect the types of manufacturing uses that had come to occupy the area, and to ensure that new industrial uses in the area would be fully enclosed and compatible with the nearby residential and mixed use neighborhoods, the 2005 Greenpoint-Williamsburg Rezoning changed the zoning within the 400-foot study area from a heavy M3-1 manufacturing district to an M1-2 district. M1-2 districts limit activity to light industrial and commercial uses, as described above.

As indicated in **Figure C-2**, areas to the east of the Proposed Development Site are mapped with M1-1 and Greenpoint-Williamsburg MX-8 Special Mixed Use Districts (M1-2/R6A), and areas to the west are mapped with M3-1 districts.

M1-1 districts are light manufacturing/industrial districts that have stringent performance standards and may serve as industrial front yards or buffers to adjacent residential and commercial zoning districts. High performance industrial uses are allowed, as well as a range of commercial uses. Additional Use Group 4 community facilities are allowed in M1 districts by special permit. Residential development is generally not allowed in M1 districts. M1-1 districts have a maximum FAR of 1.0 for manufacturing and commercial uses, and 2.4 for community facility uses (Use Group 4, only). Buildings in M1-1 districts are governed by the sky exposure plane, which begins thirty feet above the street line. Within M1-1 districts, off-street parking is required and varies by use.

The Greenpoint-Williamsburg Special Mixed Use District was established in 2005 to encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses in close proximity and create expanded opportunities for new mixed-use communities. As a result of the 2005 rezoning, new residential and non-residential uses (commercial, community, facility, and light industrial) can be developed as-of-right and can be located side-by-side or within the same building in MX districts. Within MX districts, residential uses are generally subject to the bulk controls of the governing residence district (maximum FAR of 3.0); commercial, industrial, and community facility uses are subject to the M1 district bulk controls (maximum FAR of 2.0), except that community facilities are subject to residential FAR limits (3.0 FAR). Most light industrial uses are mitted in each MX district as-of-right, others are subject to restrictions, and Use Group 18 uses are excluded altogether, except for small breweries.

M3 districts are designated areas for heavy industries that generate noise, traffic, or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. Even in M3 districts, uses with potential nuisance effects are required to conform to minimum performance standards. M3 districts are usually located near the waterfront and buffered from residential areas. The maximum FAR in M3 districts is 2.0, with a maximum base height before setback of 60 feet. Buildings in M3 districts are governed by the sky exposure plane. M3-1 districts are subject to the same parking requirements as M1-1 and M1-2 districts.

Waterfront Access Plan BK-1 (WAP BK-1): Greenpoint-Williamsburg

As indicated above, the Greenpoint-Williamsburg WAP was established as part of the 2005 Greenpoint-Williamsburg Rezoning and became part of the zoning text. The Greenpoint-Williamsburg WAP, also called WAP BK-1, identifies specific locations for required waterfront public access areas on private development parcels; establishes requirements for widened shore public walkways, parks, and plazas; allows flexibility for different shore treatments and quality landscape design; and establishes parameters for consistency of design along the waterfront. It also specifies the locations of upland connections and visual corridors to be established as waterfront sites are developed. Immediately west of the Proposed

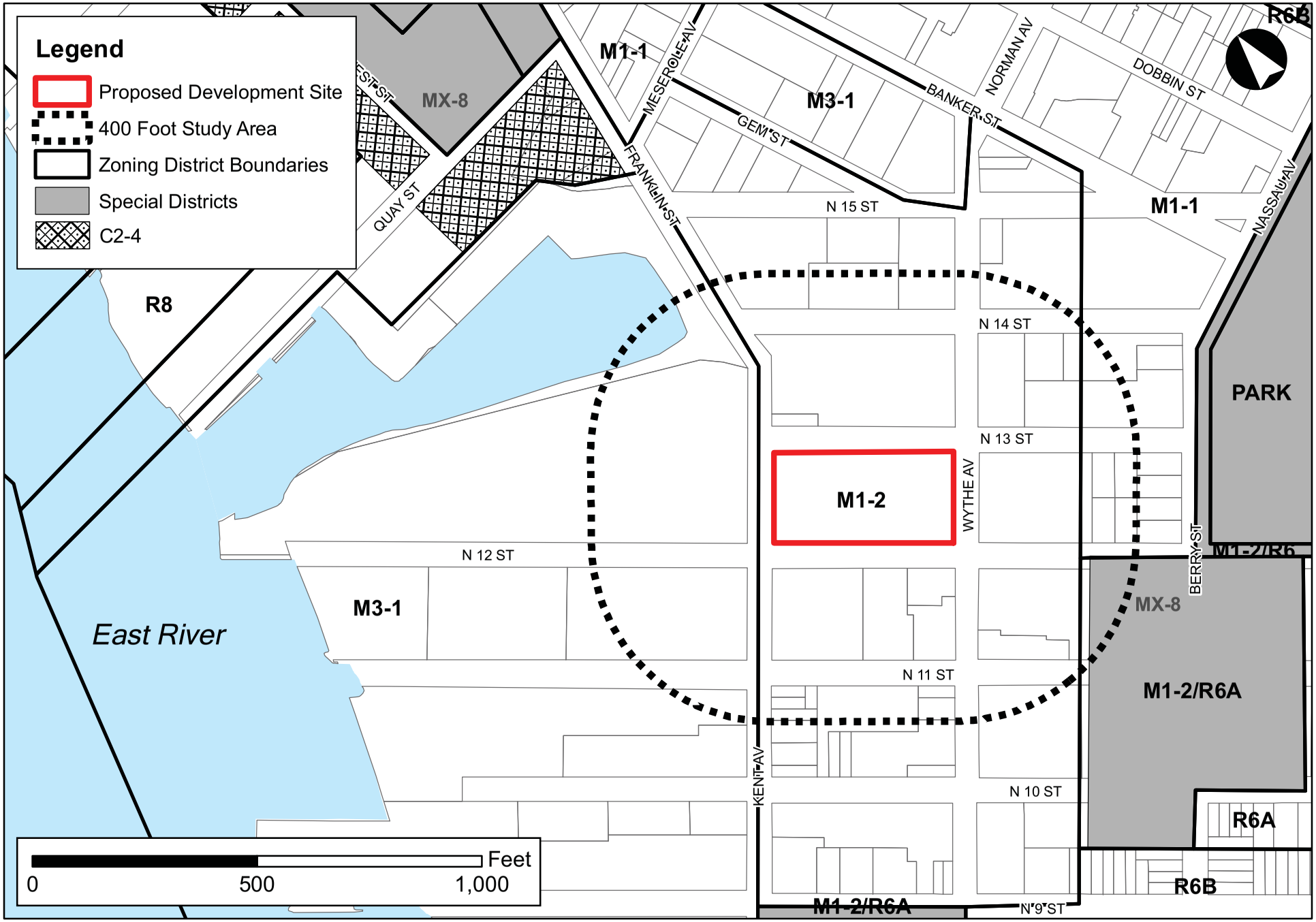


Figure C-2
Area Zoning

Development Site is Parcel 20 of the WAP. Parcel 20, along with adjacent Parcels 19, 21, and 22 are designated as public parks under ZR Section 62-931(d)(10). As with most developments on waterfront blocks, properties in the WAP BK-1 require certifications from the Chair of the CPC, provided the CPC can make certain findings specified in the Zoning Resolution.

Public Policy

Primary Study Area/Industrial Business Incentive Area

Public policies that apply to the Proposed Development Site include the Greenpoint-Williamsburg IBZ, the North Brooklyn Empire Zone (EZ), the WRP, and the Greenpoint 197-a Plan, which are discussed in greater detail below.

Greenpoint-Williamsburg IBZ

The Proposed Development Site is located within the Greenpoint-Williamsburg IBZ. As shown in **Figure C-3**, the Greenpoint-Williamsburg IBZ covers over twenty blocks (or portions thereof) on the border of the Greenpoint and Williamsburg neighborhoods, and is generally bordered by Kent Avenue/Franklin Street to the west, Calyer Street and Meserole Avenue to the north, Banker, Dobbin, and Guernsey Streets to the east, and Nassau Ave/Berry Street and North 12th and North 13th Streets to the south. In 2006, the Mayor's Office for Industrial and Manufacturing Businesses ratified the establishment of sixteen IBZs in which the City provides expanded assistance services to industrial firms in partnership with local development groups. The Industrial Business Solutions Provider for the North Brooklyn IBZ is Evergreen: Your North Brooklyn Business Exchange.

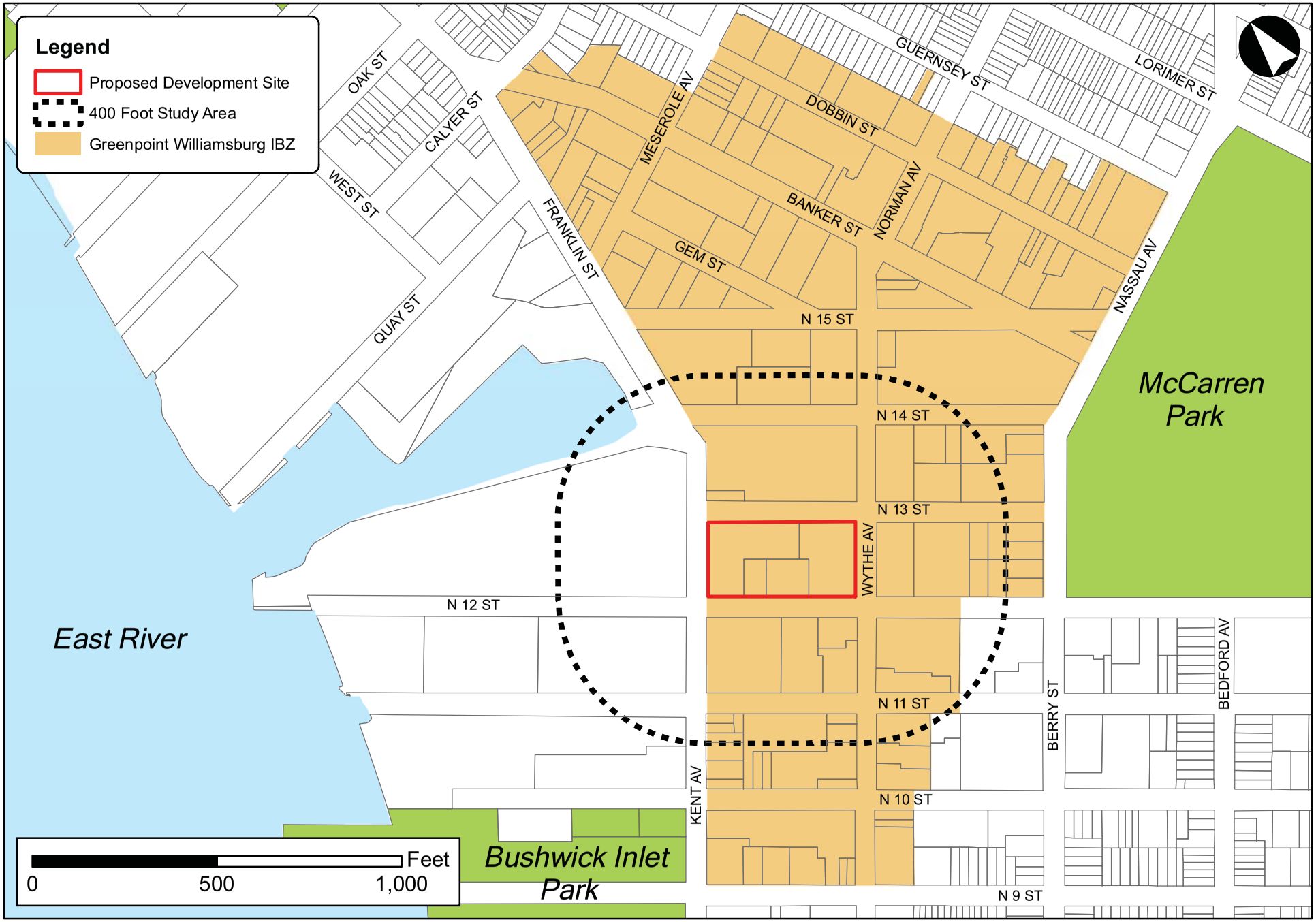
During the summer of 2012, the City undertook an effort to modify the boundaries of existing IBZs and to add the Staten Island IBZ. Additional IBZs were subsequently established, and the boundaries of select IBZs were modified. There are currently 21 IBZs throughout New York City. Usually built upon pre-existing In-Place Industrial Parks, IBZs offer various incentives to prevent industrial uses from relocating outside of the City and represent a commitment by the City not to rezone these areas for residential uses.

Within an IBZ, Industrial Business Solutions Providers offer industrial firms guidance accessing appropriate financial and business assistance programs, navigating and complying with regulatory requirements, developing workforces, and ensuring the neighborhood is well-maintained.

Additionally, planning studies are performed to determine changes that can be made to improve business efficiency within the City's IBZs. These changes can include traffic and parking monitoring, clustering of similar businesses, and IBZ-specific marketing. Higher regulation and steeper penalties for illegal conversions, as well as a guarantee not to rezone to residential districts, help to alleviate real estate uncertainty. Tax incentives also encourage new industrial uses to move to these areas of the City.

North Brooklyn Empire Zone (EZ)

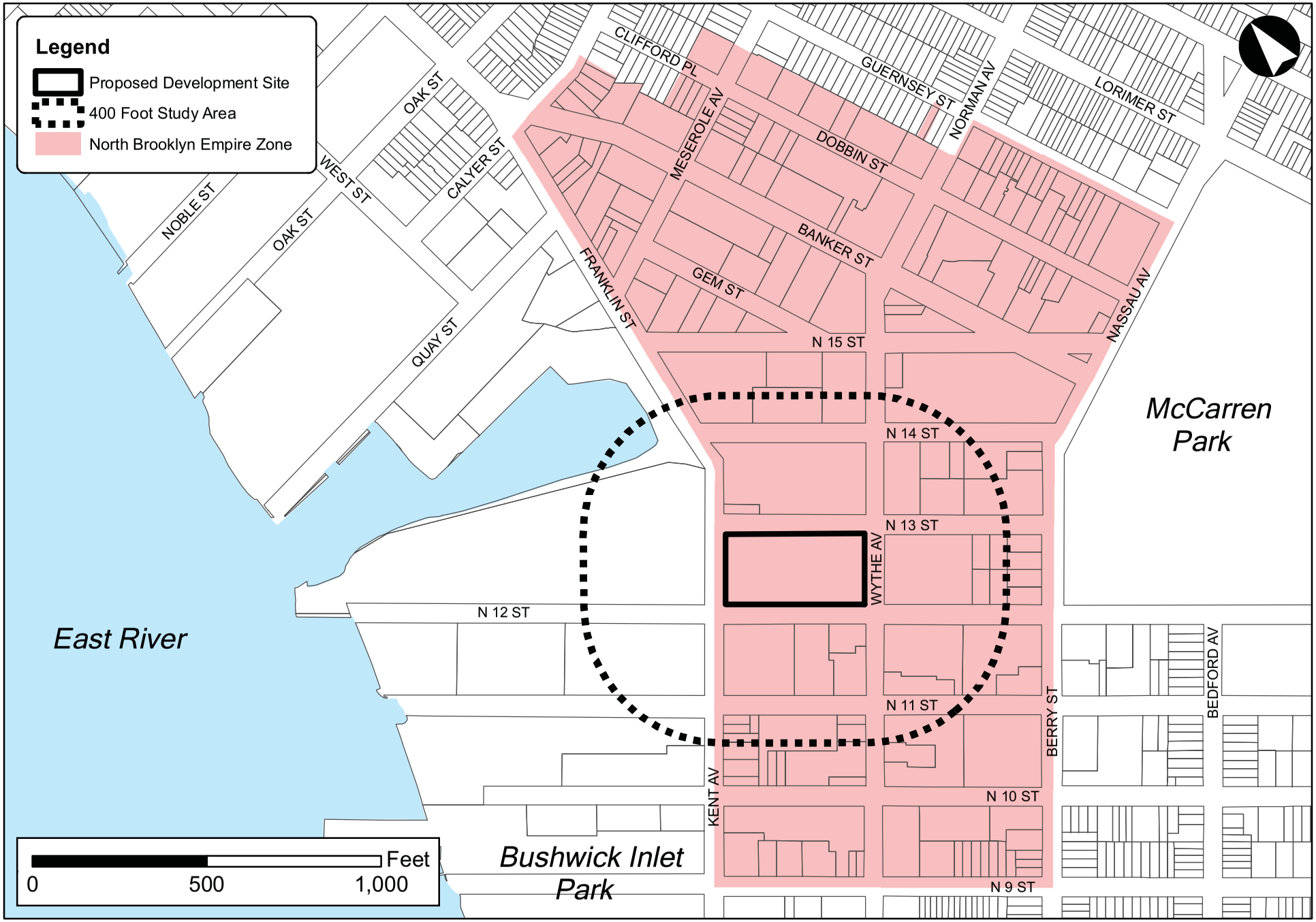
The Proposed Development Site is located within the North Brooklyn EZ, which includes parts of Greenpoint, Williamsburg, and the Brooklyn Navy Yard (see **Figure C-4**). "Area 2" of the North Brooklyn IBZ (within which the Proposed Development Site is situated) is generally coterminous with the Greenpoint-Williamsburg IBZ, described above. The New York State EZ program was created in 1986 (originally "Economic Development Zone"), and the North Brooklyn EZ was established in 1998. "Area 2" of the North Brooklyn EZ was added in 2006, reflecting the establishment of the Greenpoint-Williamsburg IBZ in that same year. In total, there are eleven Empire Zones in New York City, which are administered locally by the New York City Department of Small Business Services (SBS), in partnership with Empire State Development (ESD), New York State's lead economic development agency, and the New York State Departments of Labor and Taxation and Finance.



25 Kent EAS

Figure C-3

Greenpoint Williamsburg Industrial Business Zone



25 Kent Ave EAS

Figure C-4
North Brooklyn Empire Zone

The New York State EZ program was created to make New York more competitive and stimulate economic growth through incentives designed to attract new businesses to New York State and to enable existing businesses to expand and create more jobs. Specifically, the EZ program encourages development in designated areas by offering an array of incentives in the form of employment, investment, real property, tax credits, and utility discounts.

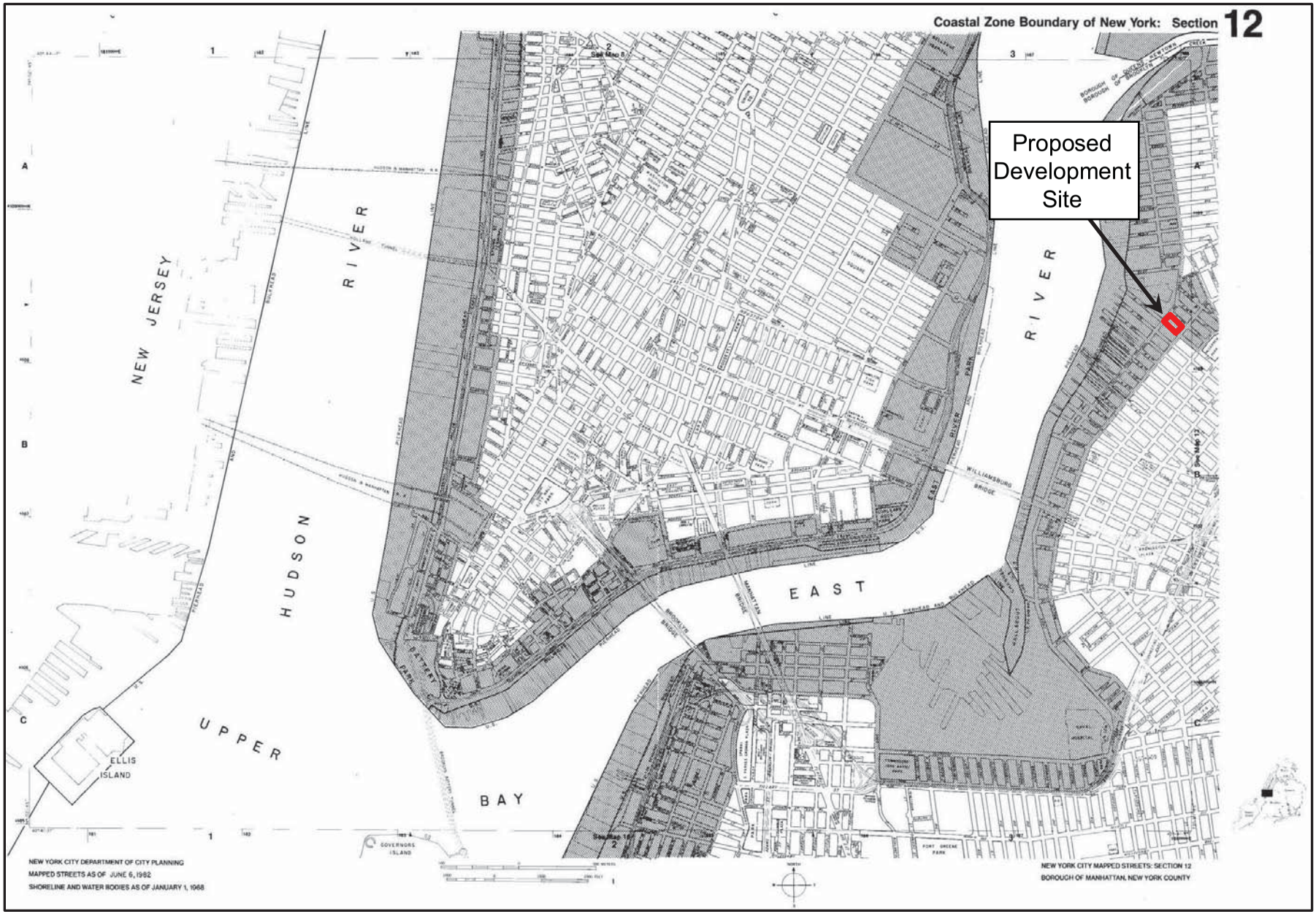
Waterfront Revitalization Program (WRP)
Proposed projects that are located within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's WRP. The federal Coastal Zone Management Act (CZMA) of 1972 was enacted to support and protect the distinctive character of the waterfront and to set forth standard policies for reviewing proposed development projects along coastlines. The program responded to City, State, and federal concerns about the deterioration and inappropriate use of the waterfront. In accordance with the CZMA, New York State adopted its own Coastal Management Program (CMP), which provides for local implementation when a municipality adopts a local waterfront revitalization program, as is the case in New York City.

The New York City WRP is the City's principal coastal zone management tool. The WRP was originally adopted in 1982 and approved by the New York State Department of State (NYSDOS) for inclusion in the New York State CMP. The WRP encourages coordination among all levels of government to promote sound waterfront planning and requires consideration of the program's goals in making land use decisions. The NYSDOS administers the program at the State level, and DCP administers it in the City. The WRP was revised and approved by the City Council in October 1999. In August 2002, the NYSDOS and federal authorities (i.e., the U.S. Army Corps of Engineers [USACE] and the U.S. Fish and Wildlife Service [USFWS]) adopted the City's ten WRP policies for most of the properties located within its boundaries.

In October 2013, the City Council approved revisions to the WRP in order to proactively advance the long-term goals laid out in "Vision 2020: The New York City Comprehensive Waterfront Plan," released in 2011. The changes will solidify New York City's leadership in the area of sustainability and climate resilience planning as one of the first major cities in the U.S. to incorporate climate change consideration into its Coastal Zone Management Program. They will also promote a range of ecological objectives and strategies, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable, working waterfront. The revisions to the WRP are currently pending State and Federal approval in order to go into effect.

Also in 2013, the New York City Panel on Climate Change (NPCC) released a report, "Climate Risk Information 2013: Observations, Climate Change Projections, and Maps," outlining New York City-specific climate change projections to help respond to climate change and accomplish *OneNYC* goals. The NPCC report predicted future City temperatures, precipitations, sea levels, and extreme event frequency for the 2020s and 2050s. While the projections will continue to be refined in the future, current projections are useful for present planning purposes and to facilitate decision-making in the present that can reduce existing and near-term risks without impeding the ability to take more informed adaptive actions in the future. Specifically, the NPCC report predicts that mean annual temperatures will increase by 2 to 3˚F and by 4 to 6.5˚F by the 2020s and 2050s, respectively; total annual precipitation will rise by zero to 10 percent and five to 15 percent by the 2020s and 2050s, respectively; sea level will rise by four to 11 inches and 11 to 31 inches by the 2020s and 2050s, respectively; and by the 2050s, heat waves and heavy downpours are very likely to become more frequent, more intense, and longer in duration, and coastal flooding is very likely to increase in frequency, extent, and height.

As illustrated in **Figure C-5**, the Proposed Development Site falls within the City's designated coastal zone, and, accordingly, the Proposed Development must be assessed for its consistency with the policies


Coastal Zone Boundary of New York: Section 12
Proposed Development Site
NEW JERSEY
HUDSON RIVER
EAST RIVER
UPPER BAY
ELLIS ISLAND
GOVERNORS ISLAND
BATTERY PARK
WILLIAMSBURG BRIDGE
MANHATTAN BRIDGE
BROOKLYN BRIDGE
NEW YORK CITY DEPARTMENT OF CITY PLANNING
MAPPED STREETS AS OF JUNE 6, 1982
SHORELINE AND WATER BODIES AS OF JANUARY 1, 1968
NEW YORK CITY MAPPED STREETS: SECTION 12
BOROUGH OF MANHATTAN, NEW YORK COUNTY

of the City's Local Waterfront Revitalization Program (LWRP). An assessment is provided below under the "Future with the Proposed Development (With-Action Condition)" and the completed WRP Form is included in **Appendix IV**.

Greenpoint 197-a Plan
Under Section 197-a of the New York City Charter, community boards may propose plans for the development, growth, and improvement of land within their districts. The plans are reviewed in accordance with standards and rules of procedure for 197-a plans, which were developed and adopted by the CPC. Once approved by CPC and adopted by the City Council, as submitted or modified, 197-a plans serve as policy guides for subsequent actions by City agencies.

In 1998, Brooklyn Community Board (CB) 1 submitted the Greenpoint 197-a plan, which was officially adopted in January 2002. The plan's study area, as modified by the CPC, is generally coterminous with zip code 11222 and is bounded by the East River to the west, Newtown Creek to the north and east, and North 12th Street, Bayard Street, Meeker Avenue, Metropolitan Avenue, Maspeth Avenue, Morgan Avenue, and the Brooklyn-Queens Expressway (BQE) to the south. The Proposed Development Site is located with the Greenpoint 197-a plan, along its southern border.

The Greenpoint 197-a Plan was the result of over a decade of effort by residents, community organizations, business leaders, and Brooklyn CB 1 to create a blueprint for future development in Greenpoint, facilitate quality of life improvements in the community, and maximize Greenpoint's potential. The guiding principles of the 197-a Plan were to establish zoning districts that would foster market rate housing, affordable housing, and commercial redevelopment. The plan's recommendations for improving access to the waterfront and redeveloping industrial land into mixed-use residential, manufacturing, and parks were largely addressed in the 2005 Greenpoint-Williamsburg Rezoning project. In addition to the waterfront recommendations, the Greenpoint 197-a Plan also calls for the promotion of neighborhood-scale retail development to serve the needs of the local community and maintain the variety of shops and services along the area's retail corridors; encouraging non-polluting businesses; and creating economic development programs to retain non-polluting businesses.

Williamsburg Waterfront 197-a Plan
The Williamsburg Waterfront 197-a Plan (proposed in 1998, and adopted in 2002) focuses on the East River waterfronts of three neighborhoods in the southern portion of Community District (CD) 1: Northside, Southside, and South Williamsburg. The Williamsburg Waterfront 197-a Plan area extends south from Bushwick Inlet (North 14th Street) to the point at which the BQE passes the Brooklyn Navy Yard, and is generally two block deep along the waterfront. The planning area extends farther inland at two points to connect to McCarren Park to the north and Continental Army Plaza at the foot of the Williamsburg Bridge. The Proposed Development Site is located within the Williamsburg Waterfront 197-a plan.

The major goals of the Williamsburg Waterfront 197-a Plan were to: increase waterfront access and public open space; encourage growth along the waterfront consistent with the scale and character of adjacent neighborhoods; foster mixed-use development in the Northside and Southside and residential development in South Williamsburg; promote a clean and safe living and working environment; promote local economic development that provide jobs and strengthens the residential and retail sectors; and support and strengthen existing ethnic and income diversity. The plan's recommendations were largely addressed in the 2005 Greenpoint-Williamsburg Rezoning project.

400-Foot Study Area
Apart from the aforementioned public policies, the Food Retail Expansion to Support Health (FRESH) program and *OneNYC*: The Plan for a Strong and Just City are applicable in portions of the 400-foot

study area, as described below.

FRESH Program

The New York City FRESH program provides zoning incentives and discretionary tax incentives to promote the establishment and retention of neighborhood grocery stores in communities that lack full-line grocery stores. The land located west of Kent Avenue within the 400-foot study area is located within a FRESH Designated Area.

The City's FRESH program is open to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by a full-line grocery store operator in FRESH-eligible areas that meet the following criteria:

a. Provide a minimum of 6,000 sf of retail space for a general line of food and non-food grocery products intended for home preparation, consumption and utilization;

b. Provide at least 50 percent of a general line of food products intended for home preparation, consumption and utilization;

c. Provide at least 30 percent of retail space for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish and frozen foods; and

d. Provide at least 500 sf of retail space for fresh produce.

Financial incentives are available to eligible grocery store operators and developers to facilitate and encourage FRESH food stores in the designated area. These incentives include real estate tax reductions, sales tax exemptions, floor area bonuses, and mortgage recording tax deferrals. A mixed-use building is permitted one additional sf of residential floor area for every square foot of a FRESH food store, up to a maximum of 20,000 sf.

OneNYC: The Plan for a Strong and Just City

In April 2015, Mayor Bill de Blasio released *OneNYC*, a comprehensive plan for a sustainable and resilient city for all New Yorkers that speaks to the profound social, economic, and environmental challenges faced. *OneNYC* is the update to the sustainability plan for the City started under the Bloomberg administration, previously known as PlaNYC 2030: A Greener, Greater New York. Growth, sustainability, and resiliency remain at the core of *OneNYC*, but with the poverty rate remaining high and income inequality continuing to grow, the de Blasio administration added equity as a guiding principle throughout the plan. In addition to the focuses of population growth; aging infrastructure; and global climate change, *OneNYC* brings new attention to ensuring the voices of all New Yorkers are heard and to cooperating and coordinating with regional counterparts. Since the 2011 and 2013 updates of PlanNYC, the City has made considerable progress towards reaching original goals and completing initiatives. *OneNYC* includes updates on the progress towards the 2011 sustainability initiatives and 2013 resiliency initiatives and also sets additional goals and outlines new initiatives under the organization of four visions: growth, equity, resiliency, and sustainability.

Goals of the plan are to make New York City:

- A Growing, Thriving City by fostering industry expansion and cultivation, promoting job growth, creating and preserving affordable housing, supporting the development of vibrant neighborhoods, increasing investment in job training, expanding high-speed wireless networks, and investing in infrastructure.
- A Just and Equitable City by raising the minimum wage, expanding early childhood education,

improving health outcomes, making streets safer, and improving access to government services.

- A Sustainable City by reducing greenhouse gas emissions, diverting organics from landfills to attain Zero Waste, remediating contaminated land, and improving access to parks.
- A Resilient City by making buildings more energy efficient, making infrastructure more adaptable and resilient, and strengthening coastal defenses.

Future without the Proposed Action (No-Action Condition)

Land Use

Primary Study Area/Industrial Business Incentive Area

As discussed in **Attachment A, "Project Description,"** in the future without the Proposed Action, the Proposed Development Site would be redeveloped with an as-of-right building pursuant to existing zoning. As described previously, on August 6, 2014, pursuant to New Building Permit No. 320591944, the Development Site was granted approval by the New York City DOB to construct an 11-story commercial and community facility office building containing 605,536 gsf, including 1,100 parking spaces. This building, which is permitted as-of-right by the M1-2 district, would rise to a height of 153 feet to the top of the mechanical equipment. On February 20, 2014, pursuant to Demolition Permit No. 320961562, the Development Site was granted approval to begin site clearance. On August 6, 2014, pursuant to New Building Permit No. 320591944, the Development Site was granted approval to begin construction of the foundations for this building. Site clearance has been completed and the Applicant intends to start excavation, foundation work, and site remediation through early 2016.

In the future without the proposed action (the No-Action Scenario), an as-of-right 4.79 FAR mixed community facility/commercial building would be constructed on the Proposed Development Site, including approximately 1.99 FAR of commercial and/or manufacturing uses and 2.8 FAR of community facility uses. The as-of-right building would total 605,536 gsf and would rise to ten stories to a height of approximately 153 feet with rooftop mechanical equipment. Approximately 36,921 gsf of retail would be located on the ground floor; 237,982 gsf of community facility uses would comprise medical office space to be located on the fourth through ninth floors; and 64,338 gsf of commercial office and/or manufacturing uses to be located on the ninth and tenth floors. Approximately 1,100 parking spaces would be located on the cellar and sub-cellar levels, as well as the second and third floors to meet existing accessory parking requirements in M1-2 districts. Access to the No-Action parking garage would be provided from both North 12th and North 13th Streets.

Consistent with the filed DOB building permits for the No-Action development, it is anticipated that the building's approximately 237,982 gsf of community facility uses would comprise medical office space. While the development at 94 North 13th Street does include plans for a significant amount of community facility space (approximately 48,600 sf), much of the recent development in the area continues to be new hotel space. Therefore, the planned as-of-right development would be somewhat unique in the immediate area. However, the planned medical office uses would be consistent with the Brooklyn CD 1 Statement of Community District Needs for Fiscal Year 2016, which identified the need for health clinics in the area, as well as ongoing City-wide trends in walk-in health clinics. Further, the residential population in this part of north Brooklyn continues to grow and the demand for services, including community facilities such as medical offices, also continues to grow. Therefore, the planned community facility use represents the RWCDS for the No-Action scenario.

400-Foot Study Area
Three projects are currently under construction within 400 feet of the proposed Industrial Business Incentive Area (see **Figure C-6**). It is anticipated that all of these projects will be completed and occupied by the 2018 Build Year.

Per the filed DOB building permits, the 55 Wythe Avenue project (located to the southeast of the Proposed Development Site on Wythe Avenue between North 12th and North 13th Streets) is expected to include a 22-story hotel with a 183-rooms, approximately 18,700 sf of retail, and approximately 48,000 sf of community facility uses. Approximately 210 parking spaces are also proposed. Construction is currently underway.

The 96 Wythe Avenue project (located on North 10th Street between Wythe Avenue and Kent Avenue) is expected to result in a 44,000 sf, 120-room boutique hotel. Construction of the hotel is also currently underway.

The 97 Wythe Avenue project (located to the southeast of the Proposed Development Site on Wythe Avenue between North 9th and North 10th Streets) is anticipated to result in a nine-story, approximately 59,910 sf hotel with 175-rooms and restaurants on the second floor and roof. Excavation of the site is currently underway.

The three No-Action developments currently being constructed in the study area would introduce a combined total of approximately 478 hotel rooms; approximately 18,700 gsf of retail space; approximately 48,000 sf of community facility spaces; and approximately 210 accessory parking spaces.

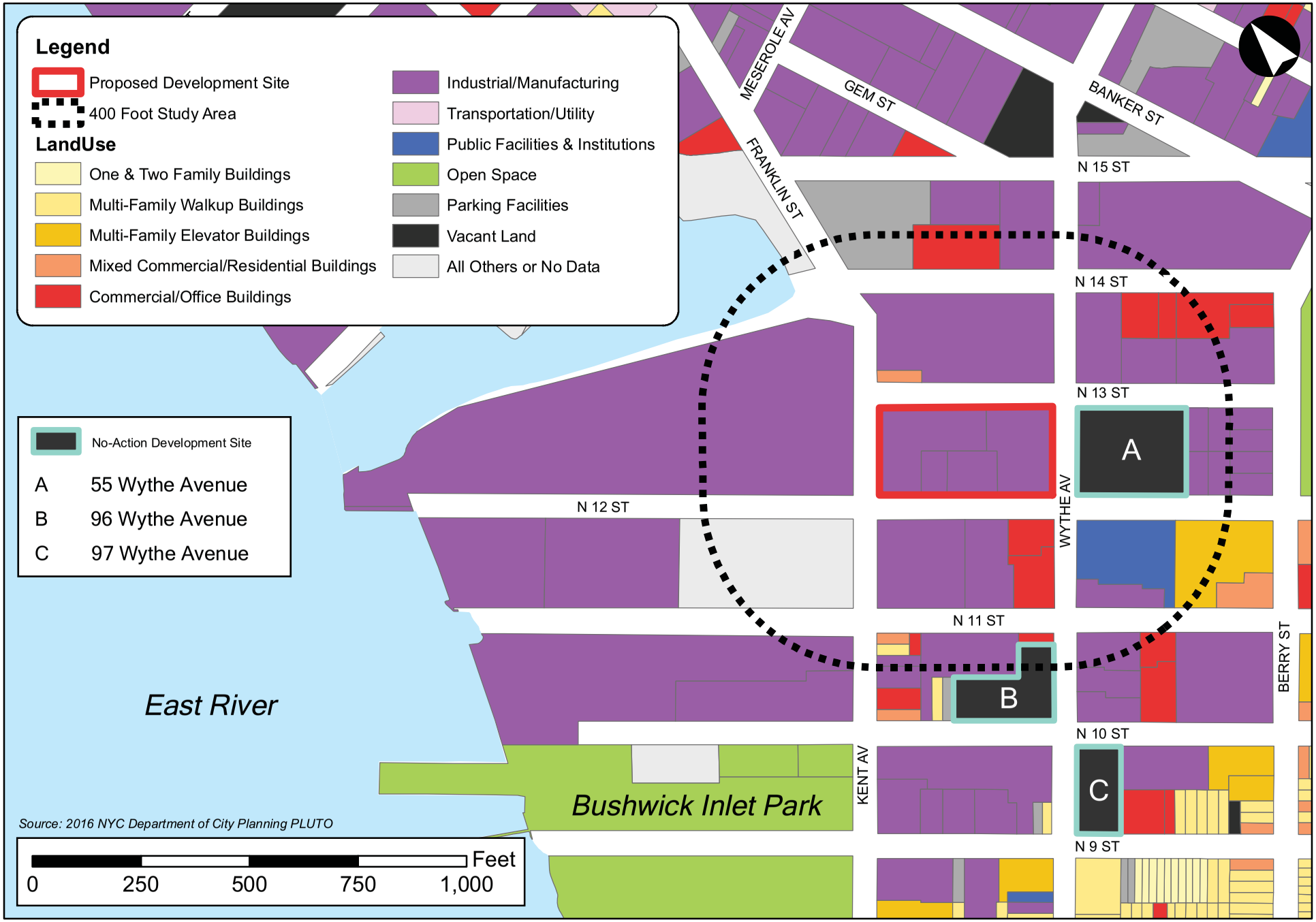
Additionally, as indicated above, Bushwick Inlet Park is located to the west of the Proposed Development Site. The park currently is located along the East River near North 9th and 10th Streets. The park includes a multi-purpose field for soccer, football, lacrosse, field hockey, rugby, and ultimate Frisbee, a green building with a green roof, a viewing platform, playground and public access to the waterfront. While Phase I of the park has been completed and is publicly accessible, the later phases of the park which will eventually expand the park into Greenpoint at Quay Street are not yet funded and the timetable for completion has not been determined. As such, it is unlikely that the planned future phases of Bushwick Inlet Park will be completed by the 2018 build year. Therefore, the No-Action condition will not account for any additional open space by 2018.

Zoning

Primary Study Area/Industrial Business Incentive Area
In the future No-Action condition, no zoning changes are anticipated on the Proposed Development Site. As such, it is anticipated that the existing M1-2 zoning district would be retained. Further, the proposed zoning text amendment would not be established in absence of the Proposed Action.
400-Foot Study Area
There are currently no planned zoning changes in the 400-foot study area in the future without the Proposed Action.

Public Policy

Primary Study Area/Industrial Business Incentive Area
No changes are expected to public policy on the Proposed Development Site under No-Action conditions.



25 Kent Avenue EAS

Figure C-6
No-Action Development

400-Foot Study Area
There are no expected changes to public policy in the 400-foot study area in the 2018 future without the Proposed Action.

Future with the Proposed Action (With-Action Condition)

In the future with the Proposed Action (the With-Action scenario), the proposed Zoning Text Amendment and the related special permits would facilitate development of the proposed approximately 485,156 gsf building on the Proposed Development Site (refer to **Figures A-4** and **A-5** in **Attachment A, "Project Description"**). The With-Action development would have an FAR of 4.75. Commercial uses would comprise approximately 3.96 FAR, with light industrial uses comprising the remaining 0.8 FAR. The Proposed Development would rise to eight stories to a height of 135 feet (excluding rooftop mechanical equipment).

As described above, under the With-Action Scenario, the Proposed Development would be comprised primarily of large-footprint commercial office uses (approximately 278,754 gsf), with the balance of the above-grade area comprised of local retail uses (37,347 gsf), manufacturing and light industrial uses (70,722 gsf) parking and loading (4,005 gsf) and a 14,328 sf covered publicly-accessible pedestrian walkway at the ground floor level. It is anticipated that typical tenants at the Proposed Development would be companies in the technology and creative media industries, consistent with existing trends in the surrounding area (e.g., Amazon has a new photo studio located a block south of the Proposed Development Site). It is anticipated that the 70,722 gsf of manufacturing and light industrial space would be occupied by small scale manufacturers, such as furniture, jewelry, or food manufacturers based on the tenant mix located in similar facilities in the surrounding area (e.g., the Greenpoint Manufacturing and Design Center) and the proposed floor plans, under the RWCDS. The 37,347 gsf of ground floor retail spaces would have small footprints and would be occupied by local retail uses. Approximately 275 parking spaces would be located on the building's cellar and sub-cellar levels, which would be accessed from North 13th Street. The balance of the cellar level (approximately 30,000 gsf) would consist of mechanical space, tenant storage and/or tenant amenities.

The Proposed Development would be in accordance with the special permits and applicable New York City Zoning bulk regulations and would be designed to meet the site design, envelope, and urban design requirements that would be allowed by the special permit.

Land Use

Primary Study Area/Industrial Business Incentive Area
Table C-2 shows the Proposed Development Site would accommodate new development in both the RWCDS No-Action and With-Action conditions. As described above, in the future with the Proposed Action, the Proposed Development would consist of a net increase of approximately 214,416 gsf of commercial office space, 426 gsf of local retail, 70,722 gsf of manufacturing/light industrial, 30,000 gsf of below-grade mechanical space, tenant storage and/or tenant amenity space, and a net decrease of 237,982 gsf of community facility and a net decrease of 825 parking spaces.

Table C-2: Comparison of 2018 No-Action and With-Action Scenarios

Land Use	**No-Action**	**With-Action**	**Increment**
Commercial Office	64,338 gsf	278,754 gsf	+ 214,416 gsf
Local Retail	36,921 gsf	37,347 gsf	+ 426 gsf
Community Facility (Medical Office)	237,982 gsf	0 gsf	- 237,982 gsf
Required Industrial Uses[1]	0 gsf	70,722 gsf	+ 70,722 gsf
Ground Floor Publicly-Accessible Pedestrian Walkway	14,328 sf	14,328 sf	0 sf
Parking	251,967 gsf	54,005 gsf	- 197,962 gsf
Cellar Level Mechanical, Tenant Storage and/or Amenity Space	0 gsf	30,000 gsf	+ 30,000 gsf
Total Floor Area	**605,536 gsf**	**485,156 gsf**	**- 120,380 gsf**
Parking Spaces	1,100 spaces	275 spaces	- 825 spaces
Population	**No-Action**	**With-Action**	**Increment**
Employees	1,185	1,516	+ 333

Notes: Employee calculations based on the following assumptions: one employee per 250 sf of office; one employee per 300 sf of medical office; three employees per 1,000 sf of retail; one employee per 50 parking spaces; and one employee per 250 sf of industrial.[2]

[1] Includes use groups 11A, 16A, 16B, 17B, 17C, and 18A.

[2] Industrial employee generation rate is conservatively assumed to be the same as office space for the proposed Required Industrial Uses since the types of industrial uses will be small-scale maker spaces.

The Proposed Actions would create a zoning text amendment which is intended to establish special regulations that would encourage the development of new buildings designed to cater to the tech sector and small-scale manufacturing companies considered Required Industrial Uses, and encourage job creation in Brooklyn CD 1. It would also provide increased walk-to-work opportunities in Brooklyn CD 1, encourage increased density of appropriate land uses, establish urban design guidelines to accommodate increased densities, strengthen the economic base of the City, conserve the value of land and buildings, contribute to a diverse mix of business uses and employment in the area, and protect the City's tax revenues.

Williamsburg's Northside neighborhood and the adjacent Greenpoint neighborhood have experienced significant residential growth since the 2005 Greenpoint-Williamsburg Rezoning. While new office conversions have been completed in the surrounding area in recent years (including the previously mentioned Vice Magazine offices and Amazon photo studio), the amount of existing office space in the surrounding area has not expanded sufficiently to meet the needs of the area's growing residential population. Therefore, the introduction of approximately 214,416 gsf of commercial office space facilitated by the Proposed Action would provide office space within close proximity to this growing residential population.

Furthermore, introducing additional commercial office space in Williamsburg would address a borough-wide need for new commercial office space, particularly for technology firms. In June 2013, the Brooklyn Tech Triangle Coalition, a coalition of economic development organizations representing DUMBO, Downtown Brooklyn, and the Navy Yard, projected that roughly 2.6 million to 3.9 million square feet of office space is needed in the area by 2015 to accommodate the needs of existing technology firms located in Brooklyn as well as the needs of firms that would like to locate there. Even if only half of that projection is realized, the area would be left with no vacancy, unable to accommodate this demand.

400-Foot Study Area

As described above, the blocks within the 400-foot study area have undergone significant development/rehabilitation in recent years, with several new hotel, event venues, and office, restaurant, and retail spaces recently opened. Several of the nearby properties are currently under construction, contemplated for construction, or undergoing conversion for as-of-right commercial development, including hotels and offices, including 55 Wythe Avenue and 96 Wythe Avenue.

As noted above, there is an existing trend in the Greenpoint-Williamsburg IBZ of hotel development, including three No-Action developments. The development of hotels is permitted as-of-right under existing zoning up to a maximum commercial FAR of 2.0.

No additional changes to land use are anticipated within the 400-foot study area as a result of the Proposed Action.

Assessment

The Proposed Action would not result in significant adverse impacts to land use on the Proposed Development Site or in the 400-foot study area. The Proposed Action would allow a new mixed commercial, light industrial/manufacturing and local retail development on the Development Site in an area where there is a strong demand for these particular uses. Additionally, the Proposed Development would support light industrial/manufacturing uses in an existing IBZ. The Proposed Development would also introduce ground-floor retail on Block 2282, in an area that does not have an abundance of local retail uses. The Proposed Development would be built at a density and bulk compatible with the other newly developed properties in the area, including the two hotels that are currently being constructed within the 400-foot study area. As such, the Proposed Action would result in development that, in addition to being appropriate for the area, would complement the land use character of the 400-foot study area as a whole.

Zoning

Primary Study Area/Industrial Business Incentive Area

Actions Necessary to Facilitate the Proposed Development

The Proposed Development requires the following approvals from the CPC:

- A zoning text amendment ("Zoning Text Amendment") to create Section 74-96 of the Zoning Resolution of the City of New York (the "Zoning Resolution" or "ZR"). The proposed Zoning Text Amendment would establish and map an Industrial Business Incentive Area on the Development Site. Additionally, the Zoning Text Amendment would create special permits that would be available to properties within the defined boundaries of the Industrial Business Incentive Area. As described above, only the Development Site is located within the Business Incentive Area under the current proposal. The newly created special permits would allow modifications to the use, bulk, and accessory off-street parking and loading requirements of the existing zoning district through a series of findings and conditions that are required for the special permit application (described in detail below). The New York City Department of City Planning (NYCDCP) will be acting as a co-applicant for the Zoning Text Amendment, but is not a co-applicant for the two special permit applications described below.
- A special permit pursuant to Section 74-962 (Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Areas) to allow a change of uses within the maximum 4.8 floor area ratio (FAR) that is permitted under existing zoning for community facility uses. The Zoning Text

Amendment would incentivize the construction of commercial and/or manufacturing buildings that allocate a portion of their floor area to certain light industrial uses in Use Groups 11A, 16A, 16B, 17B, and 17C, as specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries (Use Group 18A) as listed in Section 42-15 (collectively, "Required Industrial Uses"). To incentivize construction of Required Industrial Uses, the Zoning Text Amendment would allow additional floor area devoted to Incentive Uses. "Incentive Uses" are all uses permitted by the underlying M1-2 district, with the following exceptions: transient hotels in Use Group 5 (as specified in Section 32-14); uses in Use Groups 6A and 6C (as specified in Section 32-15); uses in Use Group 7A as specified in Section 32-16; uses in Use Group 8C (as specified in Section 32-17); uses in Use Group 10A and any retail spaces accessory to wholesale offices or showrooms with storage restricted to samples in Use Group 10B (as specified in Section 32-19); uses in Use Groups 12 and 13 (as specified in Sections 32-21 and 32-22); and moving or storage offices with no limitation as to storage or floor area per establishment, packing or crating establishments, and warehouses (as specified in Section 32-25). For projects that devote one square foot of floor area to Required Industrial Uses, the proposed zoning allows a 3.5 square foot increase in allowable floor area beyond the 2.0 FAR limitation on commercial and industrial uses of the underlying M1-2 district if certain design, envelope and urban design findings are met, and provided that such development or enlargement does not include a transient hotel. This results in a ratio of 1 square foot of Required Industrial Use for every 2.5 square feet of Incentive Use.In no event may the resulting FAR exceed the maximum 4.8 FAR permitted in the M1-2 district. The Proposed Development would provide sufficient Required Industrial Uses to capture the full 2.0 FAR available, though the Proposed Development would consist of 4.75 FAR.

- A special permit pursuant to Section 74-963 (parking and loading modifications in Industrial Business Incentive Areas) to modify the number of loading berths and parking spaces required for the Proposed Development pursuant to the existing M1-2 zoning. The Proposed Development would provide three loading docks and a 275-space below-grade parking garage to satisfy the anticipated on-site demand.

Each of the requested actions is described in more detail below.

Zoning Text Amendment

The Zoning Text Amendment will create a new special permit in Zoning Resolution Section 74-96, which will encourage the development of a building with a mix of commercial and Required Industrial Uses. The special permit will allow for the modification of the use, bulk, parking, and loading regulations on the Development Site.

In addition to the 2.0 FAR of commercial and/or manufacturing floor area allowed as-of-right in M1-2 zoning districts, the proposed zoning will allow an additional 3.5 square feet of floor area for every one square foot of additional floor area devoted to Required Industrial Uses. However, transient hotels (Use Group 5) would be restricted in developments availing themselves of this special permit.The special permit will also allow for the modification of parking and loading requirements to enable the Proposed Development to better maximize its site potential for a proposed mix of uses.

The following provides an overview of the proposed Zoning Text Amendment:

Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas

For developments or enlargements on zoning lots located within any Industrial Business Incentive Area specified in ZR Section 74-96, CPC may increase the maximum permitted floor area ratio and modify the use, bulk and public plaza regulations as set forth in Section 74-962 (Floor area increase and public plaza modifications in Industrial Business Incentive Areas). The Commission may also modify parking and

loading requirements for such developments or enlargements pursuant to Section 74-963 (Parking and loading modifications in Industrial Business Incentive Areas).

For developments or enlargements receiving a floor area increase pursuant to this Section, Section 43-20 (Yard Regulations), inclusive, shall be modified as follows: rear yard regulations shall not apply to any development or enlargement on a through lot.

Industrial Business Incentive Areas specified:

Community District 1, Brooklyn: The block bounded by North 12th Street, Kent Avenue, North 13th Street and Wythe Avenue.

Definitions

As described in 74-961, "Definitions," for the purposes of Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas), inclusive, a "required industrial use" and an "incentive use" shall be defined as follows:

Required Industrial Use

A "required industrial use" is a small-scale manufacturing or light industrial use that helps achieve a desirable mix of commercial and manufacturing uses in an Industrial Business Incentive Area, and that generates additional floor area pursuant to provisions set forth in Section 74-962 and is:

- listed in Use Groups 11A, 16A excluding "animal hospitals and kennels" and "animal pounds or crematoriums", 16B, 17B and 17C, as specified in Sections 32-20 (Use Group 11), 32-25 (Use Group 16) and 42-14 (Use Group 17); and
- "beverages, alcoholic or breweries" as listed in Section 42-15 (Use Group 18A), where permitted by the provisions of the applicable zoning district, provided the applicable performance standards pursuant to Section 42-20 are met.

Incentive Use

An "Incentive Use" is a use permitted by the applicable zoning district that is allowed to occupy the additional floor area generated by a required industrial use, with the exception of:

- Transient hotels in Use Group 5, as specified in Section 32-14 (Use Group 5);
- Uses in Use Groups 6A or 6C as specified in Section 32-15 (Use Group 6);
- Uses in Use Group 7A as specified in Section 32-16 (Use Group 7);
- Uses in Use Group 8C as specified in Section 32-17 (Use Group 8);
- Uses in Use Group 10A and any retail spaces accessory to "wholesale offices or showrooms, with storage restricted to samples" in Use Group 10B as specified in Section 32-19 (Use Group 10);
- Uses as specified in Sections 32-21 (Use Group 12) and 32-22 (Use Group 13); and,
- Moving or storage offices with no limitation as to storage or floor area per establishment, as well as packing or crating establishments and warehouses as specified in Section 32-25 (Use Group 16).

Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Areas

As described in 74-962, "Floor area increase and public plaza modifications in Industrial Business Incentive Areas," the Commission may increase the maximum floor area ratio on a zoning lot in Industrial Business Incentive Areas, in accordance with **Table C-3**, below.

For developments or enlargements in the district indicated in Column A (Zoning District), the base maximum floor area ratio on a zoning lot (Column B, "Base Maximum Floor Area") may be increased by 3.5 square feet for each square foot of required industrial uses up to the maximum floor area ratio for all uses on the zoning lot (Column E, "Maximum Floor Area Ratio for All Uses"), provided that such development or enlargement does not include a transient hotel, and that such additional floor area is occupied by required industrial uses and incentive uses up to the maximum floor area ratio set forth in Column C ("Maximum Additional Floor Area Ratio for Required Industrial Uses"), and Column D ("Maximum Additional Floor Area Ratio for Incentive Uses"), respectively.

Table C-3: Floor Area Increase Permitted in Industrial Business Incentive Areas

(A) Zoning District	(B) Base Maximum Floor Area Ratio	(C) Maximum Additional Floor Area Ratio for Required Industrial Uses	(D) Maximum Additional Floor Area Ratio for Incentive Uses	(E) Maximum Floor Area Ratio for All Uses
M1-2	2.0	0.8	2.0	4.8

For such developments or enlargements that, pursuant to Section 74-962, increase their permitted floor area, and provide a public plaza, the Commission may also increase the maximum height of such development or enlargement and may modify the requirements for public plazas set forth in Section 37-70, "Public Plazas."

Application Requirements

Applications for such floor area increases and modifications are subject to the application requirements set forth in ZR Section 74-962(a), which are described below:

(1) Site plans and elevations which shall establish distribution of floor area, height and setback, sidewalk widths, primary business entrances, including parking and loading, yards and public plazas, signage and lighting;

(2) Floor plans of all floors which shall establish the location, access plan and dimensions of freight elevators and loading areas and the location of floor area dedicated to required industrial uses and incentive uses;

(3) Drawings that show, within a 600-foot radius, the location and type of uses; the location, dimensions and elements of adjacent off-site open areas including streets, waterfront and upland parcels; elements of a Waterfront Access Plan (as applicable), and the location of street trees and street furniture and any other urban design elements. The plans shall demonstrate that any public plaza provided meets the requirements set forth in Sections 74-962(b)(5); and

(4) For zoning lots in flood zones, flood protection plans, which shall show base flood elevations (BFEs) and advisory BFEs (ABFEs), as applicable, location of mechanical equipment, areas for storage of any hazardous materials and proposed structural or design elements intended to mitigate the impacts of flood and storm events.

Conditions

The following conditions are applicable, as described in ZR Section 74-962(b):

(1) Minimum amount of required industrial uses

Required industrial uses shall occupy a minimum of 5,000 sf of horizontally contiguous floor area and shall be served by loading areas and freight elevators with sufficient capacity.

(2) Minimum sidewalk width

All developments and horizontal enlargements that front upon a street line shall provide a sidewalk with a minimum width of 15 feet along the entire frontage of the zoning lot. Such sidewalk, and any open area on the zoning lot required to meet such minimum width, shall be improved as a sidewalk to Department of Transportation standards; shall be at the same level as the adjoining public sidewalk; and shall be accessible to the public at all times. For the purposes of applying the street wall location requirements and the height and setback regulations of paragraph (b)(3) of Section 74-962, any sidewalk widening line shall be considered to be the street line.

(3) Height and setback

The height and setback regulations of the applicable zoning district shall apply as modified by the following:

(i) The street wall of any building shall be located on the street line and shall extend to a height not lower than a minimum base height of 40 feet and not higher than a maximum base height of 75 feet or the height of the building, whichever is less. At least 70 percent of the aggregate width of such street wall below 12 feet shall be located at the street line and no less than 70 percent of the aggregate area of the street wall up to the base height shall be located at the street line. However, up to a width of 130 feet of such street wall located on the short end of the block may be set back from the street line to accommodate a public plaza.

(ii) The height of a building or other structure, or portion thereof, located within ten feet of a wide street or within 15 feet of a narrow street shall not exceed a maximum base height of 75 feet. Permitted obstructions as set forth in Section 43-42 (Permitted Obstructions) shall be modified to include dormers above the maximum base height within the front setback area, provided that on any street frontage, the aggregate width of all dormers at the maximum base height does not exceed 50 percent of the street wall and a maximum height of 110 feet. Beyond ten feet of a wide street and 15 feet of a narrow street, the height of a building or other structure shall not exceed a maximum building height of 110 feet. All heights shall be measured from the base plane. Where a public plaza is provided pursuant to Section 74-962(b)(5), such maximum building height may be increased to 135 feet.

(iii) Along the short dimension of a block, up to 130 feet of such street wall may be set back from the street line to accommodate a public plaza, and a street wall located at the street line that occupies less than 40 percent of the short end of the block may rise without setback to the maximum building height.

(4) Ground floor design

(i) The ground floor level street walls and ground floor level walls fronting on a public plaza of a development or horizontal enlargement shall be glazed with transparent materials which may include show windows, transom windows or glazed portions of doors. Such transparent materials shall occupy at least 50 percent of the surface area of such street wall, measured between a height of two feet above the level of the adjoining sidewalk or public plaza and a height of 12 feet above the level of the first finished floor above curb level. The floor level behind such transparent materials shall not exceed the level of the window sill for a depth of at least four feet, as measured perpendicular to the street wall. The ground floor transparency requirements of Section 74-962(b)(4)(i) shall not apply to uses listed in Use Groups 11, 16, 17 and 18, or to accessory loading berths or garage entrances; or

(ii) For zoning lots within flood hazard areas, in lieu of the requirements of Section 74-962(b)(4)(i) of the proposed zoning text, the provisions of Section 64-22 (Transparency Requirements) shall apply; and

(iii) For any street wall widths greater than 40 feet in length that do not require glazing as specified in Section 74-962(b)(4)(i) or Section 74-962(b)(4)(ii) of the proposed zoning text, as applicable, the facade, measured between a height of two feet above the level of the adjoining sidewalk and a height of 12 feet above the level of the first finished floor above curb level, shall incorporate design elements, including lighting and wall art, or physical articulation.

(5) Public Plazas

A public plaza shall contain an area of not less than 12 percent of the lot area of the zoning lot and minimum of at least 2,000 square feet in area. All public plazas shall comply with the provisions set forth in Section 37-70, inclusive, except certification requirements of Sections 37-73 (Kiosks and Open Air Cafes) and 37-78 (Compliance) shall not apply.

(6) Signs

(i) In all Industrial Business Incentive Areas signs are subject to the regulations applicable in C6-4 Districts as set forth in Section 32-60, inclusive. Information signs provided pursuant to paragraph (b)(6)(ii) of ZR Section 74-962 shall not count towards the maximum permitted surface area regulations of Section 32-64 (Surface Area and Illumination Provisions), inclusive.

(ii) An information sign shall be provided for all buildings that are developed enlarged or converted. Such required signs shall be mounted on an exterior building wall adjacent to and no more than five feet from all primary entrance of the building. The sign shall be placed so that it is directly visible, without any obstruction, to persons entering the building, and at a height no less than four feet and no more than five and a half feet above the adjoining grade. Such sign shall be legible, no less than 12 inches by 12 inches in size and shall be fully opaque, non-reflective and constructed of permanent, highly durable materials. The information sign shall contain: the name and address of the building in lettering no less than three-quarters of an inch in height; and the words in lettering no less than one-half of an inch in height, "This building is subject to Industrial Business Incentive Area (IBIA) regulations which require a minimum amount of space to be provided for specific industrial uses." The information sign shall include the Internet URL, or other widely accessible means of electronically transmitting and displaying information to the public, where the information required in paragraph (e) of ZR Section 74-962 is available to the public.

Findings

Applications for such floor area increases and modifications are subject to the findings set forth in ZR Section 74-962(c). As described therein, in order to grant an increase in the maximum permitted floor area ratio and modification of public plaza regulations, the Commission shall find that such increase or modification:

(1) Will promote a beneficial mix of required industrial and incentive uses;

(2) Will result in superior site planning, harmonious urban design relationships and a safe and enjoyable streetscape;

(3) Will result in a building that has a better design relationship with surrounding streets and adjacent open areas;

(4) Will result in a development or enlargement that will not have an adverse effect on the surrounding neighborhood; and

(5) Any modification of the public plaza requirements will result in a public plaza of equivalent or greater value as a public amenity.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

Recordation

As set forth in ZR Section 74-962(d), "Recordation," a Notice of Restrictions for a building containing use restrictions or plaza requirements, as applicable, pursuant to this Section shall be recorded against the subject tax lot in the Office of the City Register or, where applicable, in the County Clerk's Office in the county where the lot is located. The form and contents of the legal instrument shall be satisfactory to the CPC.

Filing and recordation of such Notice of Restrictions shall be a precondition to the issuance of any building permit utilizing provisions set forth in this Section. The recording information shall be referenced on the first certificate of occupancy to be issued after such notice is recorded, as well as all subsequent certificates of occupancy, for as long as the restrictions remain in effect.

Notification

No later than the first day of each quarter of the year, the owner of a building subject to use restrictions pursuant to ZR Section 74-962(e) shall provide the following information at the designated Internet URL, or other widely accessible means of electronically transmitting and displaying information to the public pursuant to paragraph (b)(6)(ii) of ZR Section 74-962. Such electronic information source shall be accessible to the general public at all times and include the information specified below:

(1) the date of the most recent update of this information;

(2) total floor area of the required industrial uses in the development;

(3) a digital copy of all approved special permit drawings pursuant to paragraph (a), inclusive, of ZR Section 74-962;

(4) the name of each business establishment occupying floor area for required industrial uses. Such business establishment name shall include that name by which the establishment does business and is known to the public. For each business establishment, the amount of floor area, the Use Group, subgroup and specific use as listed in the Zoning Resolution shall also be included; and

(5) contact information, including the name of the owner of the building and the building management entity, if different; the name of the person designated to manage the building; and the street address, current telephone number and e-mail address of the management office. Such names shall include the names by which the owner and manager, if different, do business and are known to the public.

Compliance

Failure to comply with a condition or restriction in a special permit granted pursuant to ZR Section 74-962 or with approved plans related thereto, shall constitute a violation of the Zoning Resolution and may constitute the basis for denial or revocation of a building permit or certificate of occupancy, or for a revocation of such special permit, and for the implementation of all other applicable remedies.

Parking and loading modifications in Industrial Business Incentive Areas

As described in Section 74-963, in association with an application for a special permit for developments or enlargements pursuant to Section 74-962 (Floor Area Increase and Public Plaza Modifications in Industrial Business Incentive Areas), CPC may reduce or waive the off-street parking requirements set

forth in Section 44-20 (Required Accessory Off-Street Parking Spaces for Manufacturing, Commercial or Community Facility Uses), inclusive, not including bicycle parking, and may also reduce or waive the loading berth requirements as set forth in Section 44-50 (General Purposes), inclusive, provided that the Commission finds that:

(a) Such reduction or waiver will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;

(b) The number of curb cuts provided are the minimum required for adequate access to off-street parking and loading berths, and such curb cuts are located so as to cause minimum disruption to traffic, including vehicular, bicycle and pedestrian circulation patterns;

(c) The streets providing access to the development or enlargement are adequate to handle the traffic generated thereby, or provision has been made to handle such traffic; and

(d) The reduction or waiver of loading berths will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

Proposed Development

In conjunction with the two requested special permits, the Applicant is proposing the redevelopment of the 80,000 sf Development Site with an approximately 485,156 gsf (includes 405,156 gsf above-grade and 80,000 gsf below-grade) primarily commercial office building. The Proposed Development (shown in **Figure A-4**) would consist of eight stories and would be approximately 135 feet tall(excluding rooftop mechanical equipment). The Proposed Development would include approximately 169,768 gsf (159,848 zsf) of Permitted Uses (2.0 FAR), approximately 165,921 gsf (156,535 zsf) of Incentive Uses (1.96 FAR), and approximately 70,722 gsf (63,714 zsf) of Required Industrial Uses (0.8 FAR). The Proposed Development would also provide three loading docks and a 275-space below-grade parking garage. Additionally, two 7,200 sf public plazas are proposed on opposite corners of the Development Site (one would be located on the north-west corner of Wythe Avenue and North 12th Street and the other would be located on the south-east corner of Kent Avenue and North 13th Street). Finally, an approximately 13,838 gsf covered publicly-accessible pedestrian walkway is proposed on the ground floor approximately midway between North 12th Street and North 13th Street which would provide connectivity east-west through the Development Site. The Proposed Development would have an FAR of 4.75.

The proposed office and light industrial spaces would be large-footprint above-grade spaces occupying entire floors to be subdivided as needed. It is anticipated that typical tenants would be small scale manufacturing companies (e.g., clothing, jewelry, food production, etc.), consistent with existing trends in the surrounding area. The ground floor retail spaces would have small footprints and would be occupied by local retail uses.

As indicated above, the Proposed Development would include commercial office space, local retail, and Required Industrial Uses (as described above, this could include Use Groups 11A, 16A, 16B, 17B, and 17C, as specified in Sections 32-20, 32-25, and 42-14 of the Zoning Resolution, as well as beverages, alcoholic or breweries (Use Group 18A) as listed in Section 42-15). Additionally, the Proposed Development would include approximately 14,400 sf of public plazas located on opposite corners of the Development Site. On the eastern side of the Development Site, an approximately 7,200 sf public plaza would be located on the north-west corner of Wythe Avenue and North 12th Street. On the western side of the Development Site, an approximately 7,200 sf public plaza would be located on the south-east corner of Kent Avenue and North 13th Street. Together these public plazas will be linked by a 40-foot-

wide partially covered and publicly-accessible pedestrian walkway located at grade approximately midway between North 12th and North 13th Street, connecting the neighborhood to the anticipated park to the west (see **Figure A-4** and **Figure A-5**). This pedestrian walkway serves as the point of access to the Proposed Development, and includes connections to ground floor retail spaces and lobbies serving upper floors. In addition to entranceways within the public plazas on the east and west sides of the Proposed Development, the pedestrian walkway will have two entrances on the north and south sides of the building: one located approximately 94 feet west of Wythe Avenue along North 13th Street, the second located approximately 94 feet east of Kent Avenue along North 12th Street.

The Proposed Development would provide 15-foot sidewalks bounded by retail uses. Street walls on North 12th and North 13th Street would rise to a base height of 54 feet 9 inches above curb level, before providing a ten foot setback from their respective street lines, then rise to a height of 70 feet 9 inches before providing an additional five foot setback, for a total fifteen foot setback from the street line. The Proposed Development then would rise to its maximum height of 135 feet above curb level in a ziggurat-like fashion, with floor plates staggering inward from the North 12th Street and North 13th Street lines. Facing Wythe Avenue and Kent Avenue, glazed street walls would rise without setback to the Proposed Development's maximum height of 135 feet.

As indicated above, the Proposed Development also includes 275 accessory parking spaces. The Proposed Development would also provide 150 bicycle parking spaces on the cellar level. Access to the parking level would be located on North 13th Street, approximately halfway between Wythe Avenue and Kent Avenue. The Proposed Development would also include three accessory loading berths located on North 13th Street adjacent to the parking garage entrance.

The Proposed Development has been designed to resist flooding. The foundation, consisting of a fully-waterproofed "bathtub" type reinforced concrete mat and walls, and supplemented by tie-down anchors where needed, will resist hydrostatic uplift forces using the weight of its own superstructure. In addition, the portion of the Proposed Development that falls within flood zones, located at the northwest corner of the Development Site, has been designed to resist flood loads. Finally, mechanical equipment for the Proposed Development will be located off the ground, on the second level and on the roof.

As stated, there is presently a shortage of available commercial office space in the Borough of Brooklyn, Greenpoint and Williamsburg included. This shortage is especially acute for firms seeking large sites.

Compliance with ZR Section 74-96 Conditions

As indicated above, a number of conditions have to be satisfied by the Proposed Development for CPC approval for the modification of use, bulk. parking and loading regulations in Industrial Business Incentive Areas. As described in detail in the ULURP application and as discussed below, the Proposed Development would satisfy the stated conditions.

Minimum Amount of Required Industrial Uses

As described above, the Proposed Development will contain substantial floor area devoted to Required Industrial Uses. The floor area dedicated to Required Industrial Uses is contiguous, occupying undivided spaces of greater than 5,000 sf of floor area on the second and third floors. The Required Industrial Uses are supported by three loading berths (each 12 feet wide by 33 feet deep) that will be located on the ground floor level, fronting on North 13th Street. One Class A freight elevator with approximately 45 square feet in area, which can handle general freight loading up to 4,500 pounds, will be provided adjacent to the loading berths. The elevator allows for the movement of goods between the Required Industrial Uses and the loading berths. A second freight elevator, identical in size and capacity, will be provided at the southeastern entrance to the Proposed Development. Together, the two freight elevators

are sufficient to handle the trafficking of goods and building service operations associated with the Proposed Development's Required Industrial, Incentive, and Permitted uses.

Minimum Sidewalk Width

As indicated in the proposed zoning text, there are a variety of conditions in the proposed zoning text related to minimum sidewalk width. The sidewalk adjacent to the Proposed Development will be built to a width of 15 feet. Such sidewalk, and any open area on the zoning lot required to meet such minimum width, will be improved in accordance with the standards of the New York City Department of Transportation, will be at the same level as any adjoining public sidewalk, and will be publicly accessible at all times. This will satisfy the conditions of the proposed zoning text.

Height and Setback

As indicated in the proposed zoning text, there are a variety of conditions in the proposed zoning text related to height and setback. The Proposed Development complies with all conditions. The distinctive stepped façade of the Proposed Development results in street wall setbacks on North 12th Street and North 13th Street. On North 12th Street, the street wall of the Proposed Development will rise to a minimum base height of 55 feet above curb level before providing a ten foot setback from the street line. The street wall will then rise to 70 feet before providing an additional 7 foot 6 inch setback, before then rising to approximately 86 feet. At 86 feet in height, the street wall will set forward approximately 2 feet 6 inches (resulting in a fifteen foot setback from the street line), then rises to a height of 102 feet before providing an additional 12 foot 6 inch setback. The street wall then rises to a height of 118 feet, and then sets forward by approximately 2 feet 6 inches, before rising to a total building height of 134 feet. No portion of the street wall on North 12th Street within 15 feet of the street line exceeds a maximum building height of 134 feet.

On the North 13th Street façade, the street wall of the Proposed Development rises to a minimum base height of 55 feet above curb level before providing a ten foot setback from the street line, and then the street wall rises to 70 feet before providing an additional 5 foot setback. The street wall then rises to a height of 86 feet, then sets back an additional 7 feet. Above the 7 foot setback, the street wall rises to a height of 102 feet before setting forward 2 feet, then rising to a height of 118 feet, then setting back 12 feet 6 inches, before rising to a total building height of 134 feet. No portion of the street wall on North 13th Street within 15 feet of the street line exceeds a maximum building height of 134 feet.

Along both Wythe Avenue and Kent Avenue, the building will provide two 80-foot-wide glazed street walls which rise without setback to the Proposed Development's maximum height of 134 feet. Along each of Wythe Avenue and Kent Avenue, one of the 80-foot-wide street walls (40 percent of the 200 foot wide short end of the block) will be located at the street line, and one is set back by approximately 64 feet 10 inches from Kent Avenue, and 60 feet two inches from Wythe Avenue, to accommodate a public plaza. The two 80-foot-wide street walls will be separated by a 40-foot-wide, partially covered pedestrian corridor. Along each of North 12th Street and North 13th Street, the street wall will be set back by 80 feet to accommodate the Wythe Avenue Plaza and the Kent Avenue Plaza.

82.9% of the aggregate width of the Proposed Development's street wall below 12 feet will be located at the street line, and 70.8% of the total aggregate area of the Proposed Development's street wall will be located at the street line. The aggregate width and area of the street walls do not include the portion of the Proposed Development set back from the street line to accommodate the public plazas.

Ground Floor Design

As indicated in the proposed zoning text, there are a variety of conditions in the proposed zoning text related to ground floor design. Between a height of two and twelve feet above the level of the first finished floor above curb level, the ground floor level street walls, and ground floor level walls fronting

on the landscaped public plazas, will be glazed with transparent materials. On the North 13th Street (north) frontage of the Proposed Development, 1,717 sf of the street wall will be glazed, out of a total of 2,460 sf of street wall area (69.80 percent of the street wall). On the North 12th Street (south) frontage, 2,129 sf of the street wall will be glazed, out of a total of 3,950 sf of street wall (53.90 percent of the street wall). On the Kent Avenue (west) frontage, 1,490 sf of the street wall will be glazed out of a total of 1,598 sf (93.24 percent of the street wall). On the Wythe Avenue (east) frontage, 1,385 sf of the street wall will be glazed out of a total of 1,598 sf of street wall (86.67 percent of the street wall).

In total, 6,826 sf of the street wall on all four facades of the Proposed Development will be glazed, out of 9,606 sf of street wall. Thus, 71.06 percent of the street wall will be glazed. The floor levels behind such transparent materials will not exceed the level of the window sill for a depth of at least four feet, measured perpendicular to the street wall.

Per ZR Section 74-96(b)(4)(iii), below the level of the first story ceiling, the portions of the Proposed Development's façade that do not require glazing will include design elements. One design element will be lighting fixtures, integrated into both the building envelope and the hardscape and landscape, to provide a comfortable and safe environment at all hours of the day.

Public Plazas

Two plazas for public use will be located on opposite corners of the Development Site, at grade. On the eastern side of the Development Site, a 7,200 sf landscaped public plaza would be located on the northwest corner of Wythe Avenue and North 12th Street (the "Wythe Plaza"). The Wythe Plaza will have 60 feet of frontage on North 12th Street and 120 feet of frontage on Wythe Avenue. On the western side of the Development Site, a 7,200 sf landscaped public plaza would be located on the southeast corner of Kent Avenue and North 13th Street (the "Kent Plaza"). The Kent Plaza will have 60 feet of frontage on North 13th Street and 120 feet of frontage on Kent Avenue. Together, the plazas will comprise 14,400 sf, which is equivalent to approximately 18 percent of the area of the 80,000 sf Development Site.

The public plazas will comply with all of the public plaza requirements in ZR Section 74-96(b)(5), with the exception of three requirements: (i) ZR Section 37-76(b) (Mandatory Allocation of Frontages for Permitted Uses – Public Entrances); (ii) the Kent Avenue Plaza will not comply with ZR Section 37-713, which prohibits location of a public plaza within 175 feet of an existing publicly accessible open area or public park; and (iii) the open areas adjacent to the plazas will not comply with the ZR §37-712 requirement that an adjacent open area must either be separated from the plazas by a buffer, or meet the requirements for a minor portion of a plaza.

The plazas will not comply with the ZR Section 37-76(b) requirement that there be no greater than 10 feet of distance between the public plazas and the main building entrance. The distance from each public plaza to the main building entrance will be approximately 104 feet. The increased distance between the public plazas and the main building entrance serves to enhance the public space at the Proposed Development, and the experience of pedestrians and visitors to the building. Although located greater than 10 feet from the boundary of either the Wythe or Kent Avenue public plazas, the main building entrance is located immediately adjacent to the Proposed Development's publicly-accessible pedestrian corridor. This location will draw pedestrians and visitors to the building into the publicly-accessible pedestrian corridor which, although not included within the defined boundaries of the Kent Avenue Plaza and the Wythe Avenue Plaza, has been designed together with the public plazas as a singular, cohesive public space and pedestrian experience.

The Kent Avenue Plaza will not comply with the ZR Section 37-713 prohibition on plazas within 175 feet of an existing publicly accessible open area or public park. The Kent Avenue Plaza will be located within 175 feet of a portion of Bushwick Inlet Park, which is mapped on Block 2287, Lot 1, and located west of

Kent Avenue between North 11th Street and North 12th Street. Such location will contribute to a chain of open space leading pedestrians from Wythe Avenue to the waterfront. The block directly to the west across Kent Avenue from the Development Site has been slated for inclusion within Bushwick Inlet Park but is not yet a public park.

The plazas will not comply with the ZR Section 37-712 requirement that adjacent open areas are either separated by a buffer, such as a wall, decorative fence, or opaque plantings, or meet all requirements for a minor portion of a public plaza. Adjacent to both plazas are open areas which are part of the pedestrian passageway running through the building, but are not covered by a roof. The open area adjacent to the Kent Avenue Plaza is 9 feet 9 inches wide and 40 feet deep (a total of 390 square feet) and the open area adjacent to the Wythe Avenue Plaza is 14 feet 5 inches wide and 40 feet deep (a total of 576.64 square feet). Neither open space complies with the required minimum average width and depth of 15 feet (they are only 9 feet 9 inches and 14 feet 5 inches wide). Therefore, a waiver is required to allow these open areas without a buffer between the plazas and the open areas, because a buffer would block the flow of pedestrians through the pedestrian passageway and to the waterfront and would defeat a main goal of the design of the Proposed Building: pedestrian circulation and amenity space.

The plazas will provide all other amenities required for public plazas under the Zoning Resolution. The Kent Avenue Plaza will provide 379 sf of benches and seat walls, 66 sf of moveable seating, a 479 sf open air café, 9 sf of trash receptacles, 2 sf of drinking fountains, and 1,523 sf of plantings. In total, permitted obstructions in the Kent Avenue Plaza will total 2,458 sf, or 34 percent of the total plaza space, which complies with the requirement that no more than 50 percent of the area may be occupied by permitted obstructions. The Wythe Avenue Plaza will provide 342 sf of benches and seat walls, 52 sf of moveable seating, a 354 sf open air café, 10 sf of trash receptacles, 2 sf of drinking fountains, and 1,569 sf of plantings. In total, permitted obstructions in the Wythe Avenue Plaza will total 2,329 sf, or 32 percent of the total plaza space, in compliance with the requirement that no more than 50 percent of the plaza area be occupied by permitted obstructions.

Signage

All signage at the Proposed Development will comply with the signage regulations applicable in C6-4 districts as set forth in Section 32-60, inclusive.

Compliance with the Required ZR Section 74-96 Findings

As indicated above, a number of findings must be satisfied by the Proposed Development for CPC approval for the modification of use, bulk, parking and loading regulations in Industrial Business Incentive Areas. As described in detail in the ULURP application and as discussed below, the Proposed Development would meet all of the required findings.

Promote a Beneficial Mix of Required Industrial and Incentive Uses

Consistent with Section 74-962(c)(1), the special permit will facilitate the redevelopment of the Development Site with the Proposed Development: an eight-story, 380,097 zsf/485,156 gsf (4.75 FAR) commercial, manufacturing, and retail building. Specifically, the Proposed Development includes approximately:

- 159,848 zsf of floor area (169,768 gsf) devoted to uses permitted in the underlying M1-2 zoning district; ("Permitted Uses");
- 63,714 zsf of floor area (70,722 gsf) devoted to Required Industrial Uses;
- 156,535 zsf of floor area (165,921 gsf) devoted to Incentive Uses.

Thus, the Proposed Development will contain approximately 2.0 FAR of Permitted Uses, 1.95 FAR of Incentive Uses, and 0.8 FAR of Required Industrial Uses. The incorporation of space set aside for businesses producing physical products will maintain the area's character, which has evolved over the century but has always provided space to makers and producers. The inclusion of Incentive Uses will increase the job creation capacity of the Proposed Development, while limiting uses that detract from the business and manufacturing character of the neighborhood and impede future business and manufacturing growth. Therefore, certain uses, including hospitality, nightlife, and storage uses would not be permitted as Incentive Uses within the proposed Industrial Business Incentive Area.

The additional 0.8 FAR devoted to Required Industrial Uses will allow small manufacturers and production firms to locate within the Greenpoint-Williamsburg IBZ.

The Proposed Development has been specifically designed with both creative technology and manufacturing firms in mind. Large, open floor plates with flexible partitions and 16 foot floor to ceiling heights encourages firms engaged in research, development, production, and manufacturing to work collaboratively and exchange human resource capital. Tall floor to ceiling heights help accommodate the technology needed by modern light manufacturing tenants, and allows for flexibility in the installation (and replacement) of specialty mechanical systems that are needed for modern manufacturing and technology firms. Flex partitions allow firms to grow in place, and help keep expanding firms in the Proposed Development.

Result in Superior Site Planning, Harmonious Urban Design Relationships and a Safe and Enjoyable Streetscape

Consistent with Section 74-962(c)(2), the grant of a floor area increase for Incentive Use and public plaza modifications will allow construction of the Proposed Development, which will complement and improve the streetscape of the Project Area. The site plan includes plazas and a pedestrian corridor for the benefit of the general public, and will contain wide floor plates that are more accommodating to creative technology and manufacturing firms than standard sized floors. The site has been planned to provide publicly accessible outdoor spaces activated by retail and building amenity programs, and an adequate size to accommodate the building's uses.

The Proposed Development will be a distinctively modern architectural contribution to north Williamsburg that respects and enforces the existing architectural and historical context of surrounding buildings. The massing of the Proposed Development borrows the boxy, pragmatic massings of the surrounding one- and two-story warehouse buildings in much of the Project Area. However, the unique step-pyramid stacking of the Proposed Development's floors will be a departure from these generally utilitarian structures.

In addition to the step-pyramid stacking of its floors, the northern and southern halves of the Proposed Development are off-set from each other by 60 feet on each side in order to accommodate public plazas. The result of the off-set is that a portion of the street wall on both Wythe Avenue and Kent Avenue is located at the street line and rises without setback to the maximum building height of 134 feet. Within the public plazas, the remainder of the street walls along Wythe Avenue and Kent Avenue also rise without setback to the maximum building height of 134 feet. These sheer building walls are visually striking, though counterbalanced by the adjacent and generously proportioned public plazas and pedestrian corridor.

The public plazas and pedestrian corridor linking them give the full square block a high level of porosity and transparency. The two public plazas created by the building off-set will each be 7,200 sf in area, totaling 14,400 sf. The Wythe Avenue Plaza will be located on the northwest corner of Wythe Avenue and North 12th Street, and the Kent Avenue Plaza will be located on the southeast corner of Kent Avenue

and North 13th Street. The plazas will be connected by a 40 foot wide, publicly-accessible covered pedestrian walkway running through and underneath the Proposed Development. Two additional entranceways – one on the north side of North 12th Street, the other on the south side of North 13th Street – will be located approximately midway between Wythe and Kent Avenues to provide access to the publicly-accessible covered pedestrian walkways. Ground floor retail will front on North 12th and North 13th Street, and on the covered interior of the walkway. All publicly accessible outdoor spaces at grade have clear sightlines, and are lined with glazed retail frontage. The plazas, activated sidewalks, and the partially covered pedestrian walkway will encourage employees, patrons, visitors, and the general public to engage at street level, improving the pedestrian experience and helping transition the Project Area into a more active commercial community.

The applicant proposes to use brick, metal, and glazing, a mix of traditional and modern materials, for the construction of the Proposed Development and the public plazas, which will evoke the manufacturing character of the neighborhood while signaling commitment to its creative future.

The transparent retail facades at the ground floor will connect the pedestrian experience to the retail inside, thereby activating a streetscape that has, for many years, been devoid of activity. Additionally, the building setbacks will double as outdoor terraces for use by the building's tenants, which is an ideal way to provide light and air to both pedestrians and building occupants. Various levels of outdoor lighting are integrated with the building envelope, and within the hardscape and landscape, to provide a comfortable and safe environment at all hours of the day.

Will Result in a Building that has a Better Design Relationship with Surrounding Streets and Adjacent Open Areas

Consistent with Section 74-962(c)(3), the grant of the floor area increase for Incentive Uses will allow construction of a building that has a better design relationship to the surrounding streets and adjacent open areas. The site plan provides new open and publicly accessible space, in the form of two public plazas and a pedestrian corridor.

The design of the Proposed Development is intended to contribute to a vibrant public space, to complement and build on the street grid, and to link the street grid to the planned public park across Kent Avenue. While the footprint of the building provides street wall continuity on North 12th and North 13th Streets, it is articulated on Wythe and Kent Avenues with publicly accessible plazas designed to also allow outdoor seating for the ground floor retailers. The proposed materials for the building envelope - brick, metal and glazing - were chosen to relate to the industrial heritage of the neighborhood. The design of the building captures the character of Brooklyn, and the neighborhood's industrial heritage, with massing and materiality, all the while addressing contemporary trends in workspace layouts and design suitable for growing, cutting-edge companies.

The pedestrian corridor improves the pedestrian experience by providing a physical and visual connection between Wythe Avenue, Bushwick Inlet Park, and the Manhattan skyline beyond. Approximately 180 linear feet per blockfront will be provided to access the pedestrian corridor and plazas, which greatly increases the connectivity of the Development Site to the street. Retail will be provided not only along the sidewalk, but also through the heart of the block, opening the building up to the neighborhood. The public plazas, and the pedestrian corridor linking them, will help draw foot traffic from the Project Area to and from Bushwick Inlet Park and its neighboring waterfront promenades.

Additionally, the 15-foot-wide sidewalks of the Proposed Development, and new street trees and landscaped public plazas, will significantly improve the surrounding streetscape. Indeed, at present there are no public sidewalks on North 13th Street adjacent to the Development Site.

Will Result in a Development or Enlargement that Will Not Have an Adverse Effect on the Surrounding Neighborhood

Consistent with Section 74-962(c)(4), the Proposed Development will not have an adverse effect on the surrounding neighborhood, but rather will benefit the surrounding neighborhood by providing much needed office and manufacturing space. This space will bring jobs within walking distance of much of northside Williamsburg and south Greenpoint, helping to preserve the Greenpoint-Williamsburg IBZ as a place for active commercial and manufacturing activity.

The scale of the Proposed Development is within context of the underlying M1-2 district and the surrounding neighborhood. As stated in the Description of Proposal, an 11-story community facility building containing approximately 383,000 sf of floor area and rising to 157 feet above curb level has been approved for as-of-right construction at the Development Site by the NYC Department of Buildings. Such a bulk is consistent with the underlying M1-2 district. Taking advantage of the special permit limits the height of buildings to 110 feet unless a public plaza is provided, in which case a height of 135 feet is permitted. The Proposed Development extends to 134 feet in height by providing not only one, but two public plazas.

The Proposed Development is consistent with a number of new buildings in the surrounding neighborhood just south of the Development Site, including the Wythe Hotel at 78 Wythe Avenue, which rises to 124 feet in height, the Hoxton Hotel at 97 Wythe Avenue, which is currently under construction and will rise to 96 feet in height, and an eight-story hotel under construction at 96 Wythe Avenue. Directly across the street from the Proposed Development, at 55 Wythe Avenue, a 21-story hotel, retail, and office complex rising to an as-of-right height of 250 feet is currently under construction. The Proposed Development is over 100 feet shorter than that new building, and will have wider floor plates and a form that more closely reflects the manufacturing character of the surrounding area.

Any Modification of the Public Plaza Requirements will Result in a Public Plaza of Equivalent or Greater Value as a Public Amenity

Consistent with Section 74-962(c)(5), the plazas are designed to be inviting, activated public open spaces with a high level of porosity, encouraging fluid movement from Wythe to Kent Avenue via the pedestrian corridor, also known as the "North 12½ Street" pedestrian way. The plazas are anticipated to be populated with a canopy of birch trees, and a layer of understory planting zones, formed by the desired paths of travel. The planting zones are interwoven with fixed and movable seating elements, which provide ample shaded social seating opportunities. The retail frontages on the plazas, as well as the pedestrian corridor, are envisioned to include outdoor cafés, which will further activate the public spaces and encourage the public to pass through the pedestrian corridor in route to the park and other destinations in the neighborhood.

The plazas will comply with all public plaza requirements of condition (b)(5) of ZR Section 74-96, except for (i) ZR Section 37-76(b), which requires no more than 10 feet between the public plaza and the public entrance to the principal use of the building; (ii) the Kent Avenue Plaza will not comply with ZR Section 37-713, which prohibits location of a public plaza within 175 feet of an existing publicly accessible open area or public park; and (iii) the open areas adjacent to the plazas will not comply with the ZR §37-712 requirement that an adjacent open area must either be separated from the plazas by a buffer, or meet the requirements for a minor portion of a plaza.

The plazas will not comply with the ZR Section 37-76(b) requirement that there be no greater than 10 feet of distance between the public plazas and the main building entrance. For both the Kent Avenue Plaza and the Wythe Avenue Plaza, there will be approximately 104 feet between each plaza and the public entrance to the principal office and manufacturing uses on the upper floors. The plazas will be located directly adjacent to the public entrances to some of the retail uses on the ground floor, but the principal

office and light manufacturing use entrance will be located off of the publicly-accessible pedestrian corridor running through the building, approximately 104 feet away from each plaza.

The location of the public entrance away from the plazas enhances their value as a public amenity. Although not defined as part of either public plaza, the publicly-accessible pedestrian corridor has been designed together with the public plazas as a singular, cohesive public space and pedestrian experience. Visitors and pedestrians will be drawn through the public plazas, into the pedestrian corridor, to reach the building entrances. Building entrances will also be accessible from North 12th and North 13th Street. Moreover, the plazas will still be connected to the building through ground floor retail entrances, which open directly onto the plazas, as well as onto the publicly-accessible pedestrian corridor. A significant portion of the ground floor façade facing the plazas is proposed to be transparent, so the plazas will be visible from the retail spaces, and the retail spaces will be visible from the plazas. This linkage creates a "front porch" dynamic between the plazas and the ground floor of the building.

Also, the Kent Avenue Plaza will not comply with the ZR Section 37-173 requirement that it be located more than 175 feet from a public park. The Kent Avenue Plaza will be located within 175 feet of a portion of Bushwick Inlet Park, which is mapped on Block 2287, Lot 1, and located west of Kent Avenue between North 11th Street and North 12th Street. The Kent Avenue Plaza will therefore be located diagonally across the intersection of North 13th Street and Kent Avenue, from Bushwick Inlet Park. Such location will contribute to a chain of open space leading pedestrians from Wythe Avenue to the waterfront. The block directly across from the Kent Avenue Plaza has been slated for inclusion within Bushwick Inlet Park but is not yet a public park.

The plazas will not comply with the ZR Section 37-712 requirement that adjacent open areas are either separated by a buffer, such as a wall, decorative fence, or opaque plantings, or meet all requirements for a minor portion of a public plaza. Adjacent to both plazas are open areas which are part of the pedestrian passageway running through the building, but are not covered by a roof. The open area adjacent to the Kent Avenue Plaza is 9 feet 9 inches wide and 40 feet deep (a total of 390 square feet) and the open area adjacent to the Wythe Avenue Plaza is 14 feet 5 inches wide and 40 feet deep (a total of 576.64 square feet). Neither open space complies with the required minimum average width and depth of 15 feet (they are only 9 feet 9 inches and 14 feet 5 inches wide). Therefore, a waiver is required to allow these open areas without a buffer between the plazas and the open areas, because a buffer would block the flow of pedestrians through the pedestrian passageway and to the waterfront and would defeat a main goal of the design of the Proposed Building: pedestrian circulation and amenity space.

Other than ZR Sections 37-76(b), 37-173, and 37-712, the plazas will comply with all requirements under zoning. The Kent Avenue Plaza contains 7,200 sf and the Wythe Avenue Plaza contains 7,200 sf, for a total of 14,400 sf of public plaza at the Proposed Development. The public plazas will provide benches, seat walls, movable seating, trash receptacles, drinking fountains, and plantings, and two open air cafes (one per plaza). The permitted obstructions will not exceed 34 percent of the area within the Kent Plaza, and 32 percent of the area of the Wythe Plaza. The plantings and trees will be arranged in triangular segments, with benches arranged surrounding the plantings, bordering the triangular shape. The open air cafes will each be located adjacent to a building wall within the plazas. The public plazas will serve as a social hub and communal space for tenants, neighbors, and visitors to the Proposed Development and waterfront area, and provide a public amenity in a manufacturing district where landscaped public plazas accessible to the public are not required to be provided.

Compliance with the Required ZR Section 74-963 Findings to Modify Parking and Loading Requirements in Industrial Business Incentive Areas

As indicated in ZR Section 74-963, CPC may reduce or waive the off-street parking requirements set forth in Section 44-20 (Required Accessory Off-Street Parking Spaces for Manufacturing, Commercial or

Community Facility Uses, not including bicycle parking, and may also reduce or waive the loading berth requirements as set forth in Section 44-50 (General Purposes), provided that the following findings are satisfied:

Such Reduction or Waiver will not Create or Contribute to Serious Traffic Congestion and will not Unduly Inhibit Vehicular and Pedestrian Movement

Consistent with Section 74-963(a), the Proposed Development, which will contain 275 attended off-street accessory parking spaces and three loading berths, will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement. It is expected that 275 attended accessory off-street parking spaces, while fewer than the maximum 1,267 spaces required under as-of-right M1-2 district regulations, will be sufficient to handle parking demand generated by the Proposed Development. The 275 spaces will be located in an attended parking facility in the cellar of the Proposed Development, accessed from North 13th Street. Additionally, 150 bicycle parking spaces will be provided in the cellar initially, although only 38 spaces are required. Up to 300 bicycle parking spaces can be accommodated should demand require them.

The Proposed Development will provide for the parking demand generated by its uses, and will therefore not compete for the available parking within the surrounding neighborhood. Further, the estimated employee and visitor population traveling to the Proposed Development will utilize alternate forms of transportation, such as bicycling, walking, buses, and the subway. Typical office tenants would be companies in the technology and creative media industries, and typical light manufacturing tenants would be small scale manufacturers, such as furniture, jewelry, or food manufacturers, consistent with trends in the surrounding area. These employees are less likely to use automobiles and taxis. As described in the transportation screening discussion of **Attachment B**, it is anticipated that 61.7 percent of office employees, and 43 percent of light manufacturing employees, will utilize the subway for trips to the Proposed Development in the AM and PM, 23.3 percent of office employees, and 23.9 percent of light manufacturing employees, will walk, take the ferry, or bike to the Proposed Development in the AM and PM. Only 11.9 percent of office employees, and 30 percent of light manufacturing employees, would use automobiles in the AM and PM. Finally, 80 percent of trips to and from the local retail would be walking, by ferry, or by bicycle. Ample bicycle parking will be provided for employees and visitors who choose to travel by bicycle.

A lower number of off-street parking spaces will not contribute to serious traffic congestion in the area. It is anticipated that most employees and visitors will be traveling from locations within the inner ring of central Brooklyn and western Queens, and from Manhattan. Thus, public transit and bicycle will be the preferred means of transportation for most travelers to the Proposed Development. Automobiles will remain a preferred mode of transportation for persons traveling long distances to the Proposed Development, but demand among that population is not expected to exceed 275 spaces.

The Proposed Development will result in fewer trips than an as-of-right community facility development would generate. In the weekday morning, midday, and evening, as well as Saturday peak hours, there will be a net decrease in person-trips, compared with a reasonable worst case as-of-right development scenario. The number of trips generated by office and manufacturing tenants, which will be the primary uses in the Proposed Development, is fewer than the number of trips generated by certain as-of-right community facility uses. The Environmental Assessment Statement filed in connection with this application contains a detailed analysis of the person-trips generated by the Proposed Development.

The Number of Curb Cuts Provided are the Minimum Required for Adequate Access to Off-Street Parking and Loading Berths, and Such Curb Cuts are Located so as to Cause Minimum Disruption to Traffic, Including Vehicular, Bicycle and Pedestrian Circulation Patterns

Consistent with Section 74-963(b), the Proposed Development will be constructed with two curb cuts on North 13th Street, one for the three loading berths, and one for the parking entrance. The curb cut for the loading entrance will be 44 feet in width and will be located 123 feet, six inches from Kent Avenue. The curb cut for the parking entrance will be 22 feet in width and will be located 168 feet from Wythe Avenue. The curb cut for the loading berths, which is approximately 100 feet narrower than that which would be needed to serve 10 required loading berths, is the minimum necessary to provide access to the three loading berths, and the 22-foot-wide curb cut is the minimum necessary to provide access to the parking garage in the cellar. The curb cuts' location on North 13th Street will cause less disruption than if they were located on any of the other streets surrounding the Proposed Development. Kent Avenue and Wythe Avenue are heavily-trafficked through-streets that provide access to points north and south of the surrounding neighborhood, and location of the berths on those frontages would interfere with pedestrian enjoyment of the public plazas. Moreover, the Proposed Development's frontage on Wythe Avenue and Kent Avenue is half that of the side streets it fronts upon. Therefore, locating a curb cut along these avenues would not only disrupt more traffic, but would detract from the pedestrian experience.

Locating the loading berths near the center of the building on the North 13th Street frontage is preferable over locating them on the North 12th Street frontage. North 13th Street has two lanes of traffic going in both directions, as opposed to North 12th Street, which contains only a single lane running east. If the berths were on North 12th Street, trucks backing into the berth could completely halt traffic. Trucks backing in or idling on North 13th Street would likely leave at least one lane open so traffic could pass around the truck. Additionally, at present, North 12th Street is closer to a number of existing, compatible commercial uses in the surrounding neighborhood, including a popular brewery, bowling alley, and eating and drinking establishments. The Proposed Development has been designed to include a number of ground floor retail locations along North 12th Street, which will contribute to the existing ground-floor commercial agglomeration. Locating a curb cut along North 12th Street would detract from the effort to provide a vibrant streetscape on the most active commercial street fronting the Proposed Development.

The Streets Providing Access to the Development or Enlargement are Adequate to Handle the Traffic Generated Thereby, or Provision has been Made to Handle Such Traffic

Consistent with Section 74-963(c), the streets surrounding the Proposed Development should be adequate to handle the anticipated traffic generated by the Proposed Development. The streets surrounding it are part of a regularly shaped dense grid network through which traffic can easily disperse. Additionally, as stated in the ULURP application, the peak parking demand is anticipated to be 200 vehicles in any single hour, which would represent only a 73 percent utilization rate of the 275 spaces in the garage, so there is not anticipated to be a backup or spillover of vehicular traffic onto the street grid. Fourteen reservoir spaces will be provided at the entrance to the garage. It is anticipated that a majority of occupants and visitors to the Proposed Development will either walk, bike, or use public transit, such as the MTA subway, MTA buses, and the East River ferry.

Vehicle trips are expected to peak in the AM. Uses in the surrounding neighborhood do not experience peak traffic generation at the same time. In close proximity to the Proposed Development are a number of hospitality and entertainment uses that generate peak traffic demand at night and on weekends. The Proposed Development contains commercial and manufacturing uses that will experience peak traffic during weekday hours, so the peak traffic for the Proposed Development will not compound the traffic generated by other uses surrounding the Proposed Development.

The roadway network surrounding the Development Site is a regular local street grid containing predominantly one-way streets typically sixty feet in width. The density and consistency of the grid provide adequate access for any traffic generated by the Proposed Development. North 12th Street is a sixty-foot-wide, one way single lane street running west, with two lanes of parking. North 13th Street is a sixty-foot wide, two-way, two lane street, without curbside parking, which ends at Kent Avenue, across

from which is land owned by the City of New York and proposed to be part of Bushwick Inlet Park. Kent Avenue, which is a sixty-foot wide, one way, one-lane street running north, with one lane of parking, and a two-way bicycle lane, bounds the Development Site to the west. Wythe Avenue, a sixty-foot wide, single lane street running south with two lanes of parking and a south-running bike lane, bounds the Development Site to the east.

Additionally, the Development Site is close to subway, bus and bike transit options, providing the primary means of transportation for project-generated employees and patrons. The Bedford Avenue subway stop on the L Train line is seven blocks away, and the Nassau Avenue subway stop on the G Train line is seven and one-half blocks away. There are bike lanes running along Wythe Avenue and Kent Avenue, connecting Williamsburg and Greenpoint with greater Brooklyn via the Brooklyn Greenway, located along the waterfront. The B32 bus, running between Long Island City and the Williamsburg Bridge, runs north on Kent Avenue and south on Wythe Avenue, and the B62 bus, running between Queens Plaza and Downtown Brooklyn, runs north on Bedford Avenue and south on Driggs Avenue.

The Reduction or Waiver of Loading Berths will not Create or Contribute to Serious Traffic Congestion or Unduly Inhibit Vehicular and Pedestrian Movement

Consistent with ZR Section 74-963(d), the applicant is proposing to provide three off-street loading berths for the Proposed Development, which is less than the ten berths that would be required pursuant to ZR Sections 44-52 and 44-54. The reduction in the required number of loading berths provided in the Proposed Development will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement. The applicant does not anticipate a demand for more than three loading berths in the Proposed Development, and the street grid surrounding the Development Site is sufficient to handle any additional traffic generated by loading and unloading at the Proposed Development. The requirement for 10 loading berths stems from ZR Section 44-54, a provision of the Zoning Resolution which requires, for mixed manufacturing and office buildings, 50 percent of the floor area in the building to be subject to a more onerous loading requirement appropriate for manufacturing uses.

The Applicant does not anticipate that the office, retail and manufacturing tenants of the Proposed Development will require more than three loading berths.

The local retail uses anticipated for the Proposed Development will generate very little traditional off-street loading demand, if any. The individual retail spaces of the Proposed Development will each contain less than 8,000 sf of floor area, and therefore each would not require a loading berth were they developed as individual zoning lots pursuant to ZR Section 44-52. Retail spaces of this size are typically served by curbside loading in close proximity to the individual retail space being served, due to the infrequent and typically smaller shipments of goods they receive. It is anticipated that curbside deliveries would be scheduled during off-peak hours so as not to interfere with peak work travel and shopping times, and to avoid peak traffic periods. Most likely, retail uses in the Proposed Development will receive shipments during the late evening and pre-dawn hours. Office uses will generally receive shipments in the late morning and afternoon.

Required Industrial Uses on the second and third stories of the Proposed Development may require the berths for loading and unloading of raw materials, equipment, and finished products. It is anticipated that three berths should adequately serve the proposed Required Industrial Uses. It is anticipated that manufacturing uses will primarily receive shipments after dawn and throughout the morning.

Truck deliveries are anticipated to peak in the afternoon, at 8 deliveries. These 8 deliveries are anticipated to be staggered over the course of the afternoon, with a typical stay in a loading berth being less than

thirty minutes. Staggering of loading activities will ensure that each use may load and unload without creating or contributing to traffic congestion or inhibiting vehicular and pedestrian movement.

400-Foot Study Area

As described above, the Zoning Text Amendment would only apply on the Development Site which would be mapped as an Industrial Business Incentive Area, it would not result in any changes beyond this area. There are currently no other planned zoning changes in the 400-foot study area in the future with the Proposed Action.

Assessment

The Proposed Action would not result in significant adverse impacts to zoning. The Proposed Development requires approvals from the CPC for a zoning text amendment and special permits, which are described in detail above. The underlying M1-2 zoning would remain in place; the zoning text amendment would only affect the Development Site since that is the site that will be mapped with the Business Incentive area and the site that will seek the special permit. The proposed Zoning Text Amendment would provide a framework for development that, as noted above, would be consistent with current land use trends and market conditions in the study area. The Proposed Action would result in development that would use zoning floor area bonuses as a means to spur the creation of light industrial/manufacturing space and commercial office space within the existing IBZ. As such, the Proposed Action is not anticipated to result in significant adverse zoning impacts.

Public Policy

Primary Study Area/Industrial Business Incentive Area

OneNYC: The Plan for a Strong and Just City

As described above, *OneNYC* was issued in April 2015. *OneNYC* is a comprehensive plan for a sustainable and resilient city for all New Yorkers that speaks to the profound social, economic, and environmental challenges faced. *OneNYC* is the update to the sustainability plan for the City started under the Bloomberg administration, previously known as *PlaNYC 2030: A Greener, Greater New York*. Growth, sustainability, and resiliency remain at the core of *OneNYC*, but with the poverty rate remaining high and income inequality continuing to grow, the de Blasio administration added equity as a guiding principle throughout the plan. In addition to the focuses of population growth; aging infrastructure; and global climate change, *OneNYC* brings new attention to ensuring the voices of all New Yorkers are heard and to cooperating and coordinating with regional counterparts. Since the 2011 and 2013 updates of PlanNYC, the City has made considerable progress towards reaching original goals and completing initiatives. *OneNYC* includes updates on the progress towards the 2011 sustainability initiatives and 2013 resiliency initiatives and also sets additional goals and outlines new initiatives under the organization of four visions: growth, equity, resiliency, and sustainability.

Goals of the plan are to make New York City:

- A Growing, Thriving City by fostering industry expansion and cultivation, promoting job growth, creating and preserving affordable housing, supporting the development of vibrant neighborhoods, increasing investment in job training, expanding high-speed wireless networks, and investing in infrastructure.
- A Just and Equitable City by raising the minimum wage, expanding early childhood education, improving health outcomes, making streets safer, and improving access to government services.
- A Sustainable City by reducing greenhouse gas emissions, diverting organics from landfills to attain Zero Waste, remediating contaminated land, and improving access to parks.

- A Resilient City by making buildings more energy efficient, making infrastructure more adaptable and resilient, and strengthening coastal defenses.

As described below, the Proposed Action and the resulting development are consistent with this policy. The Applicant, 19 Kent Acquisition LLC is seeking office tenants in the tech industry and is also providing nearly 71,000 gsf of space for Business Enahncing Uses, which are skilled manufacturers. As such, the Proposed Action would help to foster industry expansion and cultivation through the requirement of Required Industrial Uses. Further, as the Proposed Development is seeking a LEED Gold certification, it would be consistent with the policy of resilient and efficient design. The proposed Zoning Text Amendment includes a variety of conditions and findings that specify design standards related to sidewalks, ground floor design, public plazas and signs. Finally, it is anticipated that the Proposed Development would help to create a vibrant neighborhood through quality design and through the creation of two publicly accessible plazas and a publicly-accessible east-west connection through the site. As such, the Proposed Action and the Proposed Development would be consistent with this public policy.

Waterfront Revitalization Program

The Proposed Development Site is located within the New York City Coastal Zone and, as such, is subject to review for its consistency with the NYC WRP. In accordance with the guidelines of the *CEQR Technical Manual*, a preliminary evaluation of the Proposed Action's potential for inconsistency with the new WRP policies was undertaken. This preliminary evaluation requires completion of the CAF; the questions in the CAF are designed to screen out those policies that would have no bearing on a consistency determination for a proposed action. For any questions that warrant a "yes" answer or for which an answer is ambiguous, an explanation should be prepared to assess the consistency of the proposed action with the noted policy or policies (see **Appendix IV** for the WRP CAF). The WRP CAF prepared for the Proposed Development (**WRP #15-132**) was reviewed by DCP's Waterfront and Open Space Division.

As discussed above, in October 2013, the City Council approved revisions to the WRP in order to proactively advance the long-term goals laid out in Vision 2020: The New York City Comprehensive Waterfront Plan, released in 2011. The changes will solidify New York City's leadership in the area of sustainability and climate resilience planning as one of the first major cities in the U.S. to incorporate climate change considerations into its Coastal Zone Management Program. They will also promote a range of ecological objectives and strategies, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. On February 3, 2016, the NYS Secretary of State approved the revisions to the Waterfront Revitalization Program. As such, the updated policies are reflected in this analysis.

Per the recently revised WRP, the following policies warranted further assessment: 1; 1.1; 1.2; and 6. Therefore, these policies are addressed below.

Consistency with Applicable WRP Policies

POLICY 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

Policy 1.1: ***Encourage commercial and residential redevelopment in appropriate coastal zone areas.***

As mentioned above, the Proposed Development Site is not a waterfront site. Bushwick Inlet Park is located on the waterfront immediately to the west of the Proposed Development Site, across Kent Avenue from the Proposed Development Site/proposed Industrial Business Incentive Area.

The Proposed Development Site is an inland sites. The Proposed Development Site was previously occupied by a construction equipment rental company. The Applicant has filed building plans with the DOB for the as-of-right development of the Proposed Development Site. Construction is now underway on the site. In the absence of the Proposed Action, an as-of-right 4.79 FAR mixed community facility/commercial building would be constructed on the Proposed Development Site, including approximately 1.99 FAR of commercial uses and 2.8 FAR of community facility uses. The as-of-right building would total 605,536 gsf and would rise to ten stories to a height of approximately 153 feet with rooftop mechanical equipment. Approximately 36,921 gsf of retail would be located on the ground floor; 237,982 gsf of community facility uses (likely medical offices) would be located on the fourth through ninth floors; and 64,338 gsf of commercial office uses to be located on the ninth and tenth floors. Approximately 266,295 gsf of parking (1,100 spaces) would be located on the cellar level, as well as the second and third floors to meet existing accessory parking requirements in M1-2 districts. Access to the No-Action parking garage would be provided from both North 12th and North 13th Streets.

The other blocks within the proposed Industrial Business Incentive Area contain a variety of commercial, manufacturing, and light industrial uses with little vacant land.

Under future conditions with the Proposed Action, the proposed Zoning Text Amendment and the requested special permit would facilitate development of the proposed approximately 485,156 gsf commercial office, local retail and light industrial/manufacturing building on the Proposed Development Site. As indicated above, it is anticipated that typical tenants would be companies in the technology and creative media industries, consistent with existing trends in the surrounding area. Based on trends in the surrounding area and the proposed building floor plans, under the RWCDS, it is anticipated that the 70,722 gsf of light industrial space would be occupied by small scale manufacturers, such as furniture, jewelry, or food manufacturers. The 37,347 gsf of ground floor retail spaces would have small footprints and would be occupied by local retail uses. Approximately 275 parking spaces would be located on the building's cellar level, which would be accessed from North 13th Street. Additionally, the proposed development would include two public plazas and a central pedestrian passageway linking Kent and Wythe Avenues that would be open to the public.

The Applicant intends to construct the building in a mix of brick and glass; the North 12th and North 13th Street facades would take their inspiration from the typical industrial fenestration found in Williamsburg/Northside and Greenpoint, while the Kent and Wythe Avenue frontages would be almost entirely transparent, connecting the building's interior spaces to the adjacent sites.

The Proposed Development would be in accordance with the special permit and applicable New York City Zoning bulk regulations and would be designed to meet the site design, envelope, and urban design requirements that are specified in the proposed Zoning Text Amendment. Additionally, the creation of the proposed Industrial Business Incentive Area would encourage the development of uses appropriate in this area. Therefore, the Proposed Development would be consistent with this policy.

Policy 1.2: ***Encourage non-industrial development that enlivens the waterfront and attracts the public.***

While the Applicant proposes to include approximately 70,722 gsf of light industrial/light manufacturing uses, the majority of the building would accommodate commercial office and local retail uses. Additionally, it is anticipated that the light industrial/light manufacturing space would be occupied by small scale manufacturers, such as furniture, jewelry, or food manufacturers, not heavy industries. Further, the Proposed Development includes two public plazas and a publicky-accessible pedestrian

pathway linking Kent and Wythe Avenues that would attract the public. Ground-floor retail would also be provided to help attract the public.

The Applicant also intends to construct the building in a mix of brick and glass; the North 12th and North 13th Street facades would take their inspiration from the typical industrial fenestration found in Williamsburg/Northside and Greenpoint, while the Kent and Wythe Avenue frontages would be almost entirely transparent, connecting the building's interior spaces to the adjacent sites. Therefore, it is anticipated that the public plazas and publicly-accessible walkway, the unique design of the building and the proposed mix of land uses would be consistent with the goals of this policy.

POLICY 6: ***Minimize loss of life, structures, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.***

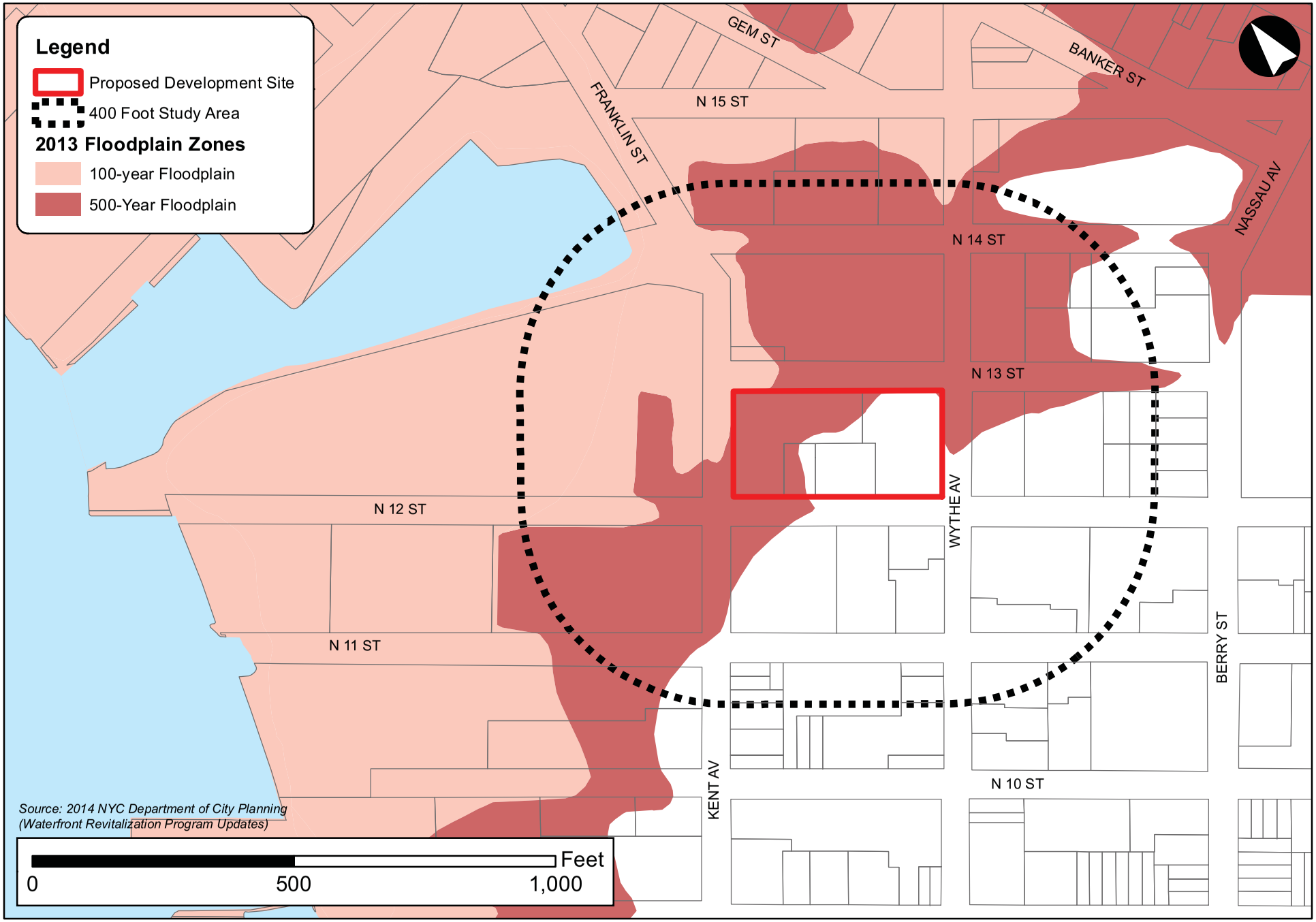
This policy aims to reduce flooding and erosion hazards and to protect life, structures and natural resources by reinforcing state and city flooding and erosion regulations. According to preliminary Flood Insurance Rate Maps (FIRM) produced by the Federal Emergency Management Agency (FEMA) in December 2013 (see **Figure C-7**), the Proposed Development Site is located within Zone X (the 500-year floodplain). While the ground floor slab is at an elevation of 12 feet (NAVD-88) of the East River, the northwest corner of the site is located below 12 feet; as such, the areas at or below the design flood elevation would be within a dry flood-proofed enclosure. Further, the Proposed Development would follow the applicable guidance for construction of non-residential structures in identified flood hazard areas, as described in New York City Administrative Code, Section 10: General Limitations on Occupancy and Construction within Flood Hazard Areas, Section 27-316 and Section 27-317 (often referred to as Local Law 33 of 1998). Therefore, the Proposed Development would not place buildings, human life, or natural resources in danger, and would be consistent with this policy.

The design and construction of the existing building complies with applicable New York City Building Code requirements for construction within the 500-year floodplain for the applicable building category. The following flood-proofing strategies were incorporated into the design of the building:

- The foundation, consisting of a fully-waterproofed "bathtub" type reinforced concrete mat and walls, and supplemented by tie-down anchors where needed, will resist hydrostatic uplift forces using the weight of its own superstructure.
- The portion of the Proposed Development that falls within flood zones, located at the northeast corner of the Proposed Development Site, has been designed to resist flood loads.
- Mechanical equipment for the Proposed Development will be located off the ground, on the second level and on the roof.

Should the base flood elevation rise to these projected elevations in the future, the Applicant anticipates retrofitting the perimeter of the building with flood prevention systems (either temporary or permanently installed flood gates/shutters), potentially in conjunction with an emergency flood protection plan. Therefore, the Proposed Development would minimize the potential for public and private losses due to flood damage and reduce the exposure to flood hazards.

As indicated above, the Proposed Development Site is not a waterfront property. Further, the other land comprising the proposed Industrial Business Incentive Area is not located on the waterfront. The Proposed Development would not impede existing erosion control measures or interfere with the maintenance of bulkheads.



25 Kent Ave EAS

Figure C-7
2013 Floodplains

The East River is tidal, and the flood elevation is controlled by the tidal conditions within the New York Bay, Long Island Sound, and the Atlantic Ocean. Because the floodplain within and adjacent to the Proposed Development Site is affected by coastal flooding, rather than local or fluvial flooding, the operation of the Proposed Development would not exacerbate flooding conditions on or near the Proposed Development Site. Further, coastal floodplains are influenced by astronomic tide and meteorological forces (e.g., northeasters and hurricanes) and not by fluvial flooding (e.g., rivers and streams overflowing their banks), and as such are not affected by the placement of obstructions (e.g., buildings) within the floodplain.

The New York City Panel on Climate Change (NPCC) recommends assessing the impacts of projected sea level rise on the lifespan of projects. While the NPCC developed a series of maps incorporating projections for sea level rise with FEMA's 2013 Preliminary Work Maps, because of limitations in the accuracy of flood projections, the NPCC recommends that these maps not be used to judge site-specific risks. However, in general, the NPCC estimates that in the New York City area, sea level will rise up to a high estimate of 11 inches by the 2020s, and up to a high estimate of 31 inches by the 2050s. As such, areas not currently within the currently applicable 100-year and 500-year flood zones will be in the future based on the NPCC projections. Furthermore, the NPCC projects that the frequency, extent, and height of 100-year and 500-year floods will increase by the 2050s.

Based on future 100-year and 500-year flood zone projections for the 2020s and 2050s, the site would be located within the 100-year future floodplain projections (see **Figure C-8** and **Figure C-9**). However, the NPCC recommends that these maps not be used to judge site-specific risks and they are subject to change. As previously stated, coastal floodplains are influenced by astronomic tide and meteorological forces and not by fluvial flooding, and as such are not affected by the placement of obstructions within the floodplain. Therefore, the redevelopment of the site would not exacerbate future projected flooding conditions.

400-Foot Study Area

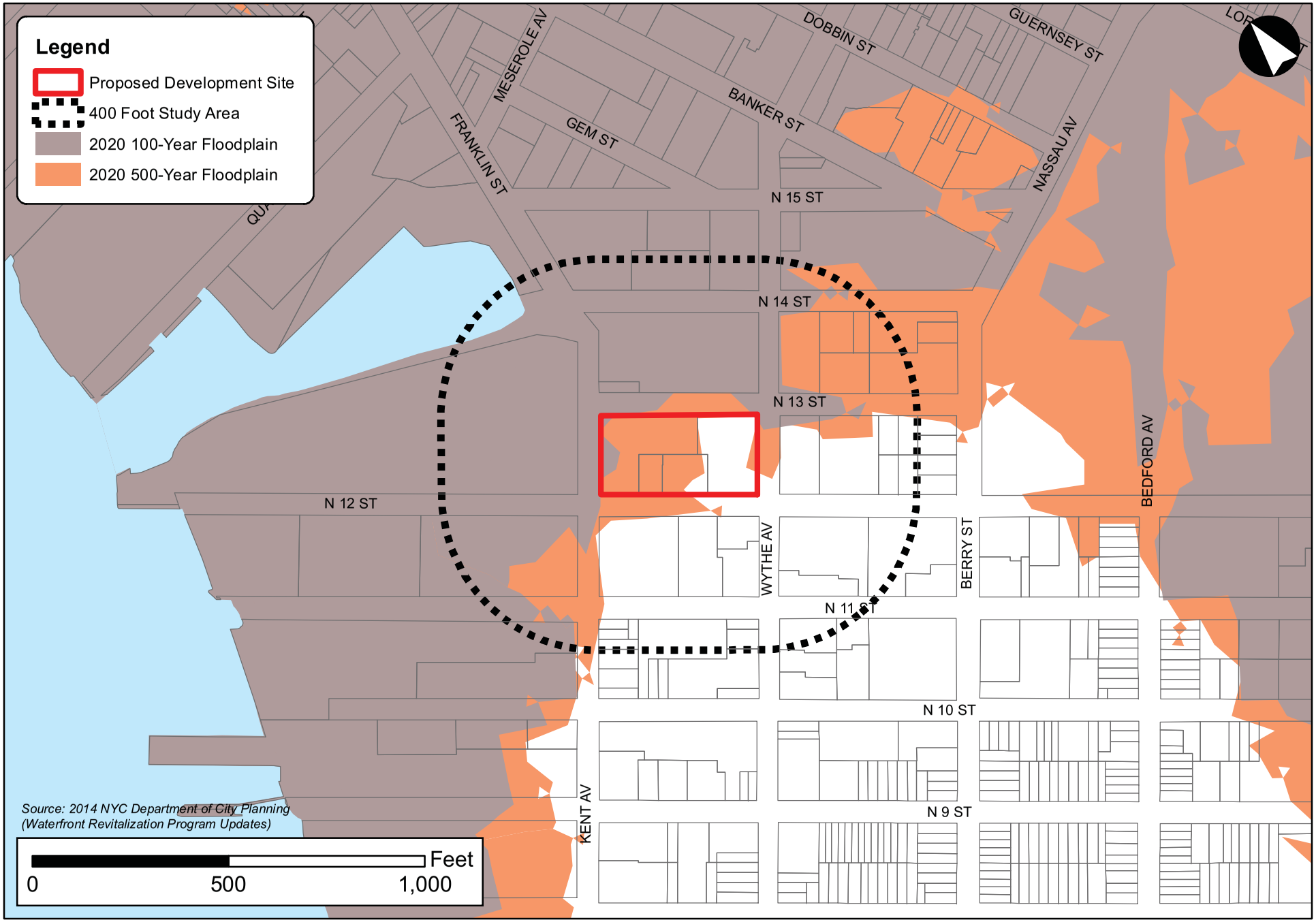
There are no anticipated changes to public policy in the 400-foot study area in the future with the Proposed Action.

Assessment

As discussed above, the goals and objectives of *OneNYC* are applicable to the Development Site and within the 400-foot study area. Per the *2014 CEQR Technical Manual*, *OneNYC* initiatives need to be considered for large, publicly-sponsored projects to ensure the projects align with the broader sustainability priorities and goals the City has set. The Proposed Action would result in the development of ground-floor retail space and publicly accessible plazas and a publicly accessible covered pedestrian walkway, furthering the *OneNYC* Housing and Neighborhood goal of promoting walkable destinations for retail and other services. As such, the Proposed Action would further the objectives laid out in *OneNYC*, making them consistent with applicable public policies in the study area.

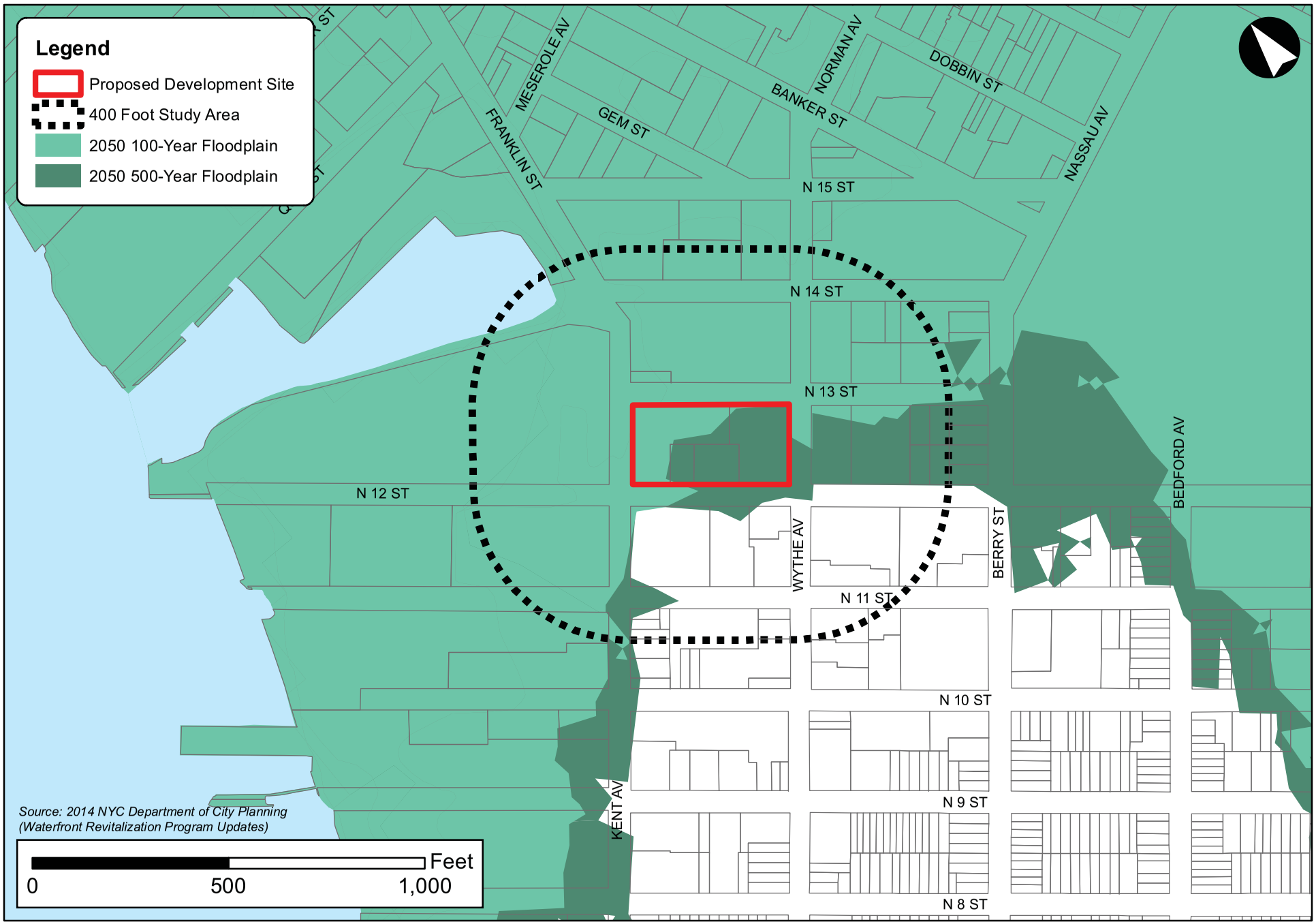
Based on the Consistency Assessment Form completed for the Proposed Development, which is provided in **Appendix IV**, two policies required further assessment. As indicated above, the assessment provided herein found that the Proposed Development would be consistent with all applicable policies. Therefore, the Proposed Development would not result in any significant adverse impacts related to the WRP.

As described above, the Proposed Action would not result in any significant adverse impacts to public policies.



25 Kent Avenue EAS

Figure C-8
2020 Floodplains



25 Kent Avenue EAS

Figure C-9
2050 Floodplains

Attachment D

Socioeconomic Conditions

I. INTRODUCTION

This attachment assesses whether the Proposed Action would result in significant adverse impacts to the socioeconomic character of the area surrounding the Proposed Development Site at 25 Kent Avenue (Block 2282, Lot 1) in the Williamsburg Northside neighborhood of Brooklyn Community District (CD) 1. As described in the 2014 *City Environmental Quality Review* (CEQR) *Technical Manual,* the socioeconomic character of an area includes its population, housing and economic activities. Socioeconomic changes may occur when a project directly or indirectly changes these elements. Although some socioeconomic changes may not result in environmental impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

As described in **Attachment A, "Project Description,"** the Proposed Action would facilitate the development of an approximately 485,156 gross square foot (gsf) commercial and light industrial building that would include approximately 169,768 gsf (159,848 zsf) of Permitted Uses (2.0 FAR), approximately 165,921 gsf (156,535 zsf) of Incentive Uses (IU's)[1] (1.95 FAR), and approximately 69,467 gsf (63,714 zsf) of Required Industrial Uses (RIU's)[2] (0.8 FAR), as well as 275 accessory parking spaces at the Proposed Development Site. As compared to the No-Action condition, the Proposed Action would result in an incremental increase of approximately 214,416 gsf of office, 426 gsf of retail, and 70,722 gsf of light industrial/manufacturing uses at the Proposed Development Site, as well as an incremental decrease of 237,982 gsf of community facility use and 825 accessory parking spaces.

In accordance with *CEQR Technical Manual* guidelines, the socioeconomic analysis considers whether the Proposed Action could result in significant adverse socioeconomic impacts due to: (1) direct displacement of residential population from the project site; (2) direct displacement of existing businesses or institutions from the project site; (3) indirect displacement of residential population; (4) indirect displacement of businesses or institutions; and (5) adverse effects on a specific industry. As outlined in **Attachment B, "Supplemental Screening,"** the Proposed Development would not directly displace any existing residences or businesses from the vacant Proposed Development Site, would not include a residential component, and would not affect conditions within a specific industry. Therefore, the analysis presented in this attachment focuses on the potential for indirect business and institutional displacement.

II. PRINCIPAL CONCLUSIONS

The Proposed Action would not result in any significant adverse indirect business socioeconomic impacts. According to the *CEQR Technical Manual*, indirect displacement of businesses or institutions could be an issue if an action would increase property values and thus rents throughout the study area,

[1] Incentive Uses (IU's) are defined as all uses permitted by the underlying M1-2 zoning district, with the exception of transient hotels in Use Group 5, as specified in ZR Section 32-14, uses in Use Group 6A and 6C as specified in ZR Section 32-15, uses in Use Group 8C as specified in ZR Section 32-17, uses in Use Group 10A as specified in ZR Section 32-19, uses in Use Group 12 and 13 as specified in ZR Sections 32-21 and 32-22, and moving or storage offices with no limitation as to storage or floor area per establishment, packing or crating establishments, and warehouses specified in ZR Section 32-25.

[2] Required Industrial Uses (RIU's) are defined as light industrial uses in Use Group 11A, 16A, 16B, 17B, and 17C, as specified in ZR Sections 32-20, 32-25, and 42-14, as well as beverages, alcoholic or breweries as listed in ZR Section 42-15.

making it difficult for some categories of businesses to remain in the area. All of the uses contemplated under the Proposed Action are well-established in the study area, which already has a dense and diverse amount of economic activity.

The proposed Zoning Text Amendment to create a new special permit in Section 74-96 of the New York City Zoning Resolution (ZR) is intended to establish special regulations to encourage the development of new buildings to attract the tech industry and small-scale manufacturers, encourage job creation in Brooklyn CD 1, provide increased walk-to-work opportunities in Brooklyn CD 1, encourage increased density of appropriate land uses, establish urban design guidelines to accommodate increased densities, and strengthen the economic base of the City, conserve the value of land and buildings, contribute to a diverse mix of business uses and employment in the area, and protect the City's tax revenues. The Proposed Action is intended to provide additional flexibility for economic growth in the area, as well as to support and enhance industrial uses by encouraging the development of buildings with a desirable floor area mix of commercial and RIU's (i.e., manufacturing and light industrial uses). The special permit would modify use, bulk, parking, and loading regulations.

There is presently a shortage of available commercial office space in Brooklyn, Greenpoint and Williamsburg. This shortage is especially acute for firms seeking large sites. The Proposed Action would facilitate the construction of an approximately 485,156 gsf building that would accommodate primarily office and local retail and light industrial/manufacturing uses. The Proposed Action would add approximately 70,722 gsf of industrial space, which would help to retain light industrial uses in the Greenpoint-Williamsburg IBZ and strengthen the commercial and manufacturing character of the area. The proposed 278,754 gsf of commercial office and 37,347 gsf of local retail uses would be consistent with the existing mix of land uses in the study area, and would not represent new uses that would substantially alter existing economic patterns, nor would the Proposed Action add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend to alter existing economic patterns. While the Proposed Action would contribute to an existing trend of increasing commercial development in the study area, any upward rent pressure experienced by industrial businesses in the area would be present in the future without the Proposed Action.

III. METHODOLOGY

Under CEQR, the socioeconomic character of an area is defined by its population, housing, and economic activities. The assessment of socioeconomic conditions usually distinguishes between the socioeconomic conditions of an area's residents and businesses. However, proposed action(s) affect either or both of these segments in similar ways: they may directly displace residents or businesses; or they may alter one or more of the underlying forces that shape socioeconomic conditions in an area and thus may cause indirect displacement of residents or businesses. The objective of the CEQR analysis is to disclose whether any changes created by the proposed project would have a significant impact compared with what would happen in the future without the proposed project (i.e., the "No-Action condition").

Direct displacement is defined as the involuntary displacement of residents, businesses, or institutions from the actual site of (or sites directly affected by) a proposed project. Examples include the proposed redevelopment of a currently occupied site for new uses or structures, or a proposed easement or right-of-way that would take a portion of a parcel and thus render it unfit for its current use. Since the occupants of a particular site are usually known, the disclosure of direct displacement focuses on specific businesses and employment and an identifiable number of residents and workers.

Indirect or secondary displacement is defined as the involuntary displacement of residents, businesses, or employees in an area adjacent to, or close to, a project site that results from changes in socioeconomic

conditions created by a proposed project. Examples include rising residential rents in an area that result from a new concentration of higher-income housing introduced by a project, which ultimately could make existing housing unaffordable to lower income residents; a similar turnover of industrial to higher-rent commercial tenancies induced by the introduction of a successful office project in an area; or the flight from a neighborhood that can occur if a proposed project creates conditions that break down the community (such as a highway dividing the area). Unlike direct displacement, the exact occupants to be indirectly displaced are not known. Therefore, an assessment of indirect displacement usually identifies the size and type of groups of residents, businesses, or employees potentially affected.

Even if projects do not directly or indirectly displace businesses, they may affect the operation and viability of a major industry or commercial operation in the City. An example would be new regulations that prohibit or restrict the use of certain processes that are critical to certain industries. In these cases, the CEQR review may involve the assessment of the economic impact of the project on the specific industry in question.

As outlined in **Attachment B, "Supplemental Screening,"** an assessment of potential indirect business and institutional displacement is warranted since the Proposed Action would introduce more than 200,000 sf of commercial space over the No-Action condition. The Proposed Development Site is currently vacant and does not support any existing uses, and therefore, the Proposed Action would not result in the direct displacement of any existing residences or businesses. The Proposed Action would also not introduce any residential use, and is not anticipated to affect conditions within a specific industry. As such, based on *CEQR Technical Manual guidelines,* analyses of direct effects, indirect residential displacement, and adverse effects on specific industries are not warranted. In addition, an assessment of the indirect business displacement due to market saturation is not warranted based on *CEQR Technical Manual* criteria. As compared to the No-Action condition, the Proposed Action is not expected to add to, or create, a retail concentration that may draw a substantial amount of sales from existing businesses within the study area.

Analysis Format

Based on *CEQR Technical Manual* guidelines, the analyses of indirect business displacement due to increased rents begins with a preliminary assessment. The objective of the preliminary assessment is to learn enough about the potential effects of the proposed project to either rule out the possibility of significant adverse impacts or determine that a more detailed analysis is required to fully determine the extent of the impacts. A detailed analysis, when required, is framed in the context of existing conditions and evaluates the changes to those conditions in the future with the Proposed Action as compared with the changes that would be expected in the No-Action condition. In conjunction with the land use task, specific development projects expected to occur by the build year of the Proposed Development are identified. These projects are described in terms of the possible changes to socioeconomic conditions that they would cause, including potential population increases, changes in income characteristics of the affected area, changes to the rents or sale prices of residential units, new commercial or industrial uses, or changes to employment or retail sales. Those conditions are then compared with the future with the Proposed Action to determine the potential for significant adverse impacts. As discussed below, a preliminary assessment was sufficient to determine that the Proposed Action would not result in any significant adverse indirect business displacement impacts.

Study Area Definition

Typically, the socioeconomic study area boundaries are similar to those of the land use study area. The study area encompasses the Proposed Development Site and adjacent area within 400 feet, 0.25 mile, or 0.5 mile, depending on project size and area characteristics. As the Proposed Development Site consists of a single approximately 80,000 sf Proposed Development Site that occupies a single block, bounded by

Kent and Wythe Avenues and North 12th and North 13th Streets, in the North Side neighborhood of Williamsburg, Brooklyn, the study area used for the socioeconomic preliminary assessment is a roughly ¼-mile area (see **Figure D-1**).

Data Sources

For the indirect business displacement analyses, employment data for the ¼-mile study area were obtained from Environmental Systems Research Institute ("ESRI")—a private data provider—to perform this analysis. ESRI is a tool used to gather geographically specific business and demographic data from a variety of public sources, including the U.S. Census Bureau. Employment data for the borough of Brooklyn and New York City as a whole were obtained from the New York State Department of Labor (NYSDOL), Quarterly Census of Employment and Wages (QCEW) and the U.S. Census's 2002 and 2012 County Business Patterns. However, as NYSDOL and U.S. Census County Business Patterns employment data are available at the zip code level, rather than smaller geographic areas such as census tracts or block groups, employment estimates for the study area are based on a slightly different geographic area than the actual boundary of the study area, but nevertheless is still representative of conditions in the study area given the proximity of the zip code boundaries to the study boundary.

The employment data gathered identifies the industry sectors that dominate or characterize the study area, borough and City. The analyses were also supported by field visits to the study area conducted by PHA in April 2015.

IV. PRELIMINARY ASSESSMENT

Indirect Business and Institutional Displacement

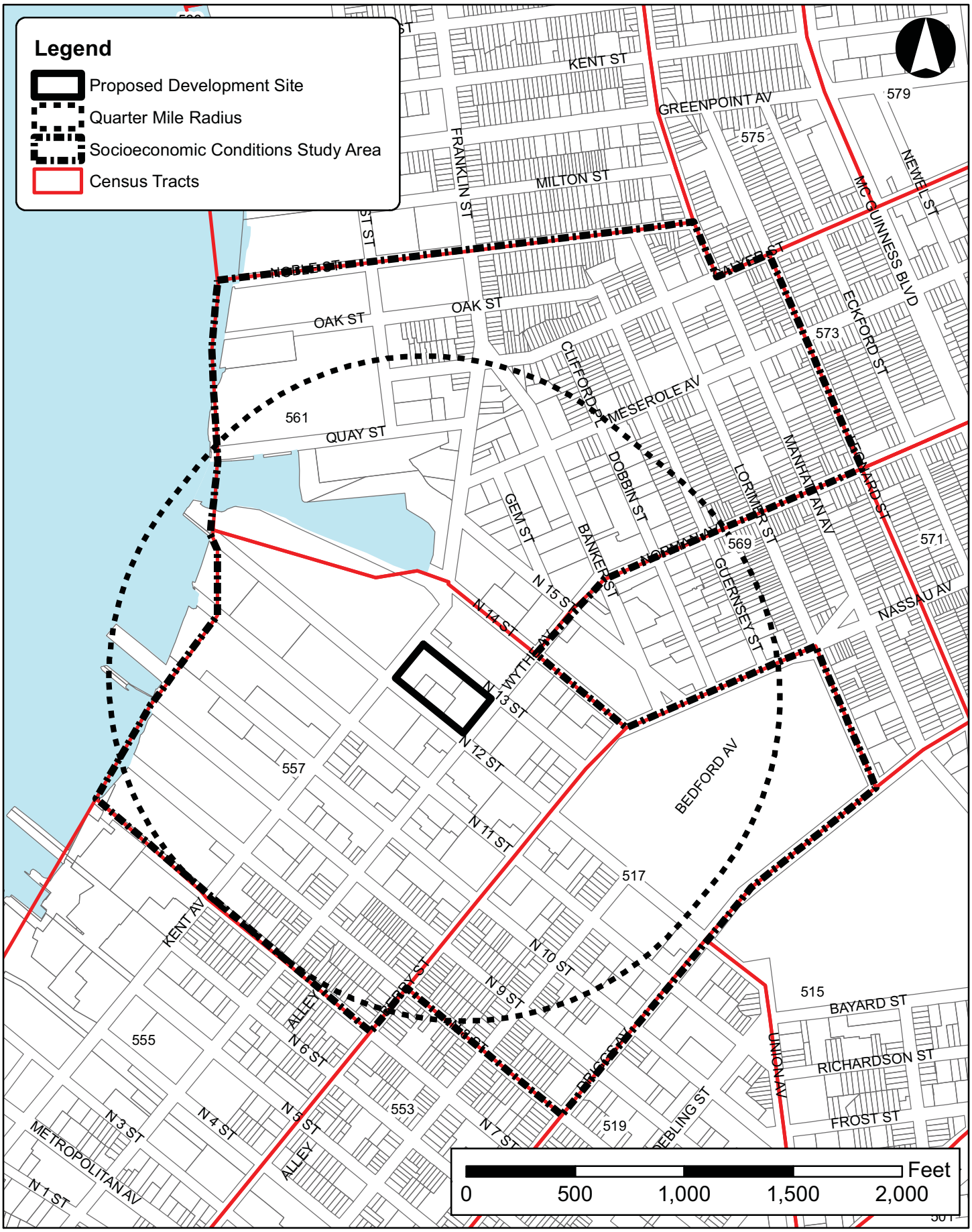
The objective of the indirect business and institutional displacement preliminary assessment is to determine whether the proposed action could potentially introduce trends that would make it more difficult for nearby existing businesses that provide products or services essential to the local economy or that are targeted to be preserved in their current locations under adopted public plans to remain in the area. A proposed action could introduce such a trend by causing a marked increase in rents and property values in the area (such as by stimulating the demand for more lucrative land uses and thus redevelopment or by increasing the demand for new commercial or retail services with which the existing businesses cannot compete). Additionally, it could directly displace businesses or residents who serve as suppliers or the customer base for nearby businesses, affecting their viability or altering the desirability of their existing location. Finally, it could create enough new retail space to draw substantial sales from existing businesses (i.e., a market saturation impact).

In most cases, the issue for indirect displacement of businesses is that an action would markedly increase property values and rents throughout the study area, making it difficult for some categories of businesses to remain in the area. Pursuant to *CEQR Technical Manual* guidelines, the preliminary assessment of direct business and institutional displacement examines the following circumstances described in Section 322.2 of Chapter 5 of the *CEQR Technical Manual:*

Would the proposed project introduce a trend that increases commercial property values, making it difficult for businesses essential to the local economy—or a business that is the subject of regulations or publicly adopted plans to preserve, enhance, or otherwise protect it—to remain in the study area?

As shown in **Table D-1**, as of January 2014, there were an estimated 1,877 employees in the ¼-mile study area. These employees represented approximately 0.3 percent of Brooklyn's total employment and

Figure D-1
Socioeconomic Conditions Study Area



less than 0.05 percent of the employment in all of New York City. Within the study area, the manufacturing sector accounted for the largest percentage of employment (21 percent), with 394 jobs in the ¼-mile study area followed by the administrative support and waste management services, which employed 365 workers (19.4 percent). Taken in concert with other industrial sectors in the study area (including construction, wholesale trade, transportation, and utility), these sectors collectively employ approximately 819 workers. This employment represents slightly less than 44 percent of the study area total employment, a higher percentage as compared with Brooklyn (15.9 percent) and New York City as a whole (11.2 percent). These industrial jobs reflect the study area's historic roots of low-density industrial uses along the waterfront.

Table D-1: Estimated Employees in the ¼-Mile Study Area, Brooklyn, and New York City

	¼-Mile Study Area		Brooklyn		New York City	
NAICS Industry Title	Employees	Percentage (%)	Employees	Percentage (%)	Employees	Percentage (%)
Agriculture, Forestry, Fishing, & Hunting	0	0.0	55	0.0	215	0.0
Mining, Quarrying & Gas/Oil Extraction	0	0.0	0	0.0	30	0.0
Utilities	0	0.0	4,055	0.7	4,902	0.1%
Construction	148	7.9	27,607	4.9	128,710	3.2
Manufacturing	394	21.0	20,828	3.7	75,686	1.9
Wholesale Trade	147	7.8	24,546	4.4	134,404	3.4
Retail Trade	107	5.7	72,771	12.9	344,970	8.7
Transportation & Warehousing	130	6.9	16,575	2.9	103,645	2.6
Information	126	6.7	8,044	1.4	171,270	4.3
Finance & Insurance	9	0.5	15,071	2.7	322,966	8.2
Real Estate, Rental, & Leasing	67	3.6	16,320	2.9	122,440	3.1
Professional, Scientific, & Technical Service	89	4.7	19,290	3.4	367,696	9.3
Management of Companies & Enterprises	6	0.3	2,863	0.5	67,894	1.7
Administrative Support & Waste Management	365	19.4	25,331	4.5	207,130	5.2
Educational Services	8	0.4	24,325	4.3	150,038	3.8
Health Care & Social Assistance	23	1.2	170,206	30.2	634,389	16.0
Arts, Entertainment, & Recreation	25	1.3	7,851	1.4	80,569	2.0
Accommodation & Food Services	131	7.0	41,074	7.3	326,798	8.2
Other Services	80	4.3	25,041	4.4	161,457	4.1
Government	13	0.7	34,730	6.2	161,457	4.1
Unclassified	7	0.4	6,506	1.2	525,920	13.3
Total	***1,877***	***100.0***	***563,099***	***100.0***	***3,962,195***	***100.0***

Source: Study area employment data obtained from ESRI and Dun and Bradstreet, Business Analyst Online, Business Summary Report, 2014, and employment data for the borough of Brooklyn and New York City obtained from New York State Department of Labor, Quarterly Census of Employment and Wages (QCEW), 3rd Quarter of 2014.

Most of these manufacturing jobs are likely attributed to artisan food and beverage manufacturers, which include the Brooklyn Brewery, and small gastro pubs like Dirck the Norseman, Allswell and Trix, as well as food processing facilities such as ACME smoked fish. Food manufacturing boasts the largest share and biggest growth of manufacturing jobs in the borough of Brooklyn. Since the end of the recession in 2009, food manufacturing employment in Brooklyn has grown by more than 3 percent and the number of food manufacturing establishments has grown by almost 12 percent in the borough. Brooklyn's food and beverage manufacturing hubs and markets are mostly clustered in the Williamsburg- Greenpoint and Red Hook-Sunset Park neighborhoods. Smorgasburg, located in the study area on the waterfront just south of the Bushwick Park, is an outdoor food market that has roughly 100 vendors that rent space to sell wares.
According to a report by the New York State Office of the State Comptroller in May 2014, the larger neighborhoods of Williamsburg and Greenpoint account for 10 percent of the borough's jobs, with a concentration of jobs in health care, administrative support, and construction. The number of businesses in Williamsburg grew by nearly 32 percent between 2003 and 2011, compared to a 21 percent gain

borough-wide. With an expanding restaurant and nightlife scene, the area is home to the Brooklyn Winery, New York Distilling and the Brooklyn Brewery, which is located in the ¼-mile study area at 79 North 11th Street. Broadway Stages, a film and television studio, is also located in Greenpoint.

Table D-2 shows the relatively steady decline in the number of industrial firms from 1998 to 2011 (the most recent date for which data is available) within zip codes 11211, 11222, and 11249, which comprise the neighborhoods of Greenpoint, Williamsburg, and East Williamsburg. As shown in **Table D-2**, the most significant decrease occurred in the manufacturing sector, which accounted for a total of 15 percent of all businesses in the area in 1998, compared to only about 6.5 percent in 2011. Of the 282 manufacturing businesses located in the area in 2011, less than one percent employed 100 or more employees.

Table D-2: Details for Industrial Sectors in Zip Codes 11211, 11222, and 11249

Industry Code and Description	Percentage of Total Establishments (%)			Change 1998-2011 (%)
	1998	2005	2011	
Zip Code 11211 and 11249[1]				
23 – Construction	8.2	7.8	6.6	-1.6
31 – Manufacturing	15.5	8.7	5.2	-10.3
42 – Wholesale	15.3	12.7	8.7	-6.6
48 – Transportation and Warehousing	3.0	2.9	2.5	-0.5
Combined Industrial Sectors	*42.0*	*32.1*	*23.0*	*-19.0*
Zip Code 11222				
23 – Construction	15.7	19.8	17.7	2.0
31 – Manufacturing	14.1	10.0	9.0	-5.1
42 – Wholesale	14.6	14.5	13.3	-1.3
48 – Transportation and Warehousing	5.8	5.6	3.7	-2.1
Combined Industrial Sectors	*50.2*	*49.9*	*43.7*	*-6.5*
Combined				
23 – Construction	11.0	12.1	10.2	-0.8
31 – Manufacturing	15.0	9.2	6.5	-8.5
42 – Wholesale	15.0	13.4	10.2	-4.8
48 – Transportation and Warehousing	4.1	3.9	2.9	-1.2
Combined Industrial Sectors	*45.1*	*38.6*	*29.8*	*-15.3*

Notes:
[1] Zip code 11249, which comprises Brooklyn's East River waterfront and adjacent blocks between North 15th Street and the Brooklyn Navy Yard was established in 2011. The areas currently located within zip code 11249 were previously part of the 11211 zip code area.
Source: U.S. Department of Commerce, Bureau of the Census, County Business Patterns

As described in **Attachment C, "Land Use, Zoning, and Public Policy,"** land use in the area surrounding the Proposed Development Site includes a mix of light manufacturing, commercial, hotel and some residential, as well as large public open space. Although the area historically accommodated primarily industrial and manufacturing uses, many of these businesses have left or have been pushed out due to climbing rents and have been replaced with largely commercial uses.

The current land uses in the ¼-mile study area reflect a significant amount of new development that has taken place since the 2005 Greenpoint-Williamsburg Rezoning, which has resulted in the growing number of non-industrial uses. Over this approximately ten year period, within the immediate 400-foot radius of the Proposed Development Site, eight former manufacturing buildings have been converted to commercial uses, including photo and film studios (131 North 14th Street and 95 North 10th Street), offices (35 Kent Avenue), music venues (74 Wythe Avenue), bowling alleys (200 North 14th Street and 104 North 12th Street), eating and drinking establishments (90 Wythe Avenue), and hotels (80 Wythe

Avenue). Additionally, 44 Berry Street (at the northwest corner of Berry and North 11th Streets) was also converted from manufacturing uses to residential with ground floor retail. Further, a seven-story 142-unit residential building was constructed at 34 Berry Street (the southwest corner of Berry and North 12th Streets). The surrounding area has largely become mixed-use supporting a mix of commercial, light industrial, and some residential uses.

As shown in **Figure C-3** in **Attachment C, "Land Use, Zoning, and Public Policy"**, the Proposed Development Site and the majority of the ¼-mile study area are located within the Greenpoint-Williamsburg Industrial Business Zone (IBZ). Established in 2006, the Greenpoint-Williamsburg IBZ is one of six IBZs in Brooklyn. It is a relatively small IBZ comprising slightly less than 38 acres, and portions of approximately 21 blocks are largely primarily zoned for high-performance manufacturing (refer to **Table D-3**). The small area, which is generally bounded by Kent Avenue/Franklin Street to the west, Calyer Street/Meserole Avenue to the north, Banker, Dobbin, and Guersey Streets to the east, and Nassau Avenue/Berry Street and North 12th and North 13th Streets to the south, was carved out of the 2005 Greenpoint-Williamsburg Rezoning area. The IBZ is located to the west of McCarren Park and in between the highly sought-after neighborhoods of Greenpoint to the north and Williamsburg to the south. The waterfront is to the west of the IBZ and Bushwick Inlet Park borders the southern tip of the IBZ to the west.

Table D-3: Existing Zoning within Greenpoint-Williamsburg IBZ

Zoning	Lot Area	Number of Lots	Building Square Feet (sf)	Number of Buildings
M1-1	639,216	64	743,866	79
M1-2	794,012	54	852,561	62
M3-1	116,750	7	102,250	6
R8B	2,500	1	8,200	1
Spilt Zoning M-Zone/MX	101,190	3	298,215	6
Total	***1,653,668***	***129***	***2,005,092***	***154***

Source: 2014 PLUTO

The City created IBZs in mid-2000's to encourage the retention and to provide expanded business services and incentives for industrial and manufacturing businesses in partnership with local development groups. With a stated purpose of fostering industrial sector growth, the City established IBZs in areas with significant concentrations of industrial businesses.

In contrast to other IBZ areas in the City, most of the lots in the Greenpoint-Williamsburg IBZ are small and characterized by low-rise one or two-story buildings with little residual lot area. The existing M1-1 and M1-2 zoning allows for only 1.0 and 2.0 FAR to be developed without height limits on the respective property. As many of the lots in the IBZ are small in size, it challenging for many landowners to develop large-floorplate commercial and/or industrial buildings with multiple floors. Therefore, these property owners are often incentivized to concentrate the allowable density into a tower occupying small portions of lots (e.g., the building under construction at 55 Wythe Avenue, which will accommodate hotel, office, and retail and restaurants uses, as well as public open space).

In its entirety, the Greenpoint-Williamsburg IBZ includes 154 buildings that contain more than two million square feet of floor area on 129 lots, all of which are privately-owned (see **Table D-3**). There are few remaining vacant lots. Many of the buildings are underutilized. Thirty-five of the buildings (about 23 percent) in the IBZ are classified as warehouses and include nearly 376,000 sf of floor area. Forty-seven buildings are classified as industrial lofts or factories (about 30 percent) and contain almost 714,900 sf of floor area. There are nine buildings within the IBZ that accommodate a total of 321 dwelling units, two of which were constructed since 2006 that added 211 units.

Although IBZs were established by the Bloomberg administration to "protect existing manufacturing districts and encourage industrial growth citywide," the sprawling redevelopment of Williamsburg and Greenpoint has transformed and largely redefined the ¼-mile study area, including the Greenpoint-Williamburg IBZ, into a more mixed-use, vibrant largely commercial area. Although the M1-1 zoning district along the northern boundary of the Greenpoint-Williamsburg IBZ remains an active industrial area, since its 2006 designation, the Greenpoint-Williamsburg IBZ has experienced a loss of active industrial uses. There is an existing well-established trend in the area toward commercial development. New development has primarily consisted of restaurant, entertainment, and hospitality uses. The former industrial area is increasingly attracting business establishments that carter to surrounding residential uses, including retail, restaurants, cafes, bars and lounges, and entertainment venues, such as bowling alleys, dance clubs, nightclubs, and athletic clubs. The area has also attracted TV and film studios, creative office space, and luxury boutique hotels that include restaurants and bars, many of which have made substantial investments to convert former industrial space to commercial use (see **Table D-4**). For example, the approximately 87,500 sf former bakery building at 33 Nassau Avenue, located on the northern edge of McCarren Park, was completely gutted and converted into offices and retail use in 2008. Known as the Yard, the office space consists of office suites that carter to growing startups in a co-working environment, which is designed to provide maximum flexibility with minimum maintenance.

Table D-4: Development in Greenpoint-Williamsburg IBZ

Name	Address	Type of Use	Year
Vice New Media	90 N 11th Street	Information/Publishing/Video	2004
Gutter Brooklyn	200 N 14th Street	Entertainment Bowling/Bar	2007
The Yard/ Spritzenhaus 33/ Play Greenpoint/ Human@ease	33 Nassau Street	Office/Retail/Beer Garden/Fitness	2008
Brooklyn Bowl	104 N 12th Street	Entertainment Concert Venue/Bar	2009
Berry Park	4 Berry Street	Bar/Lounge	2009
Kinfolk 90	90 Wythe Avenue	Café/bar/store	2012
Wythe Hotel/Reynard/The Ides	80 Wythe Avenue	Hotel/restaurant/bar	2012
Output	74 Wythe Avenue	Dance Club	2013
Amazon	35 Kent Avenue	Photo Studios/Office	2013
Dirck the Norseman	7 N 15th Street	Gastro Pub	2014
Northern Territory	12 Franklin Street	Bar/Grill	2014
Verboten	54 N 11th Street	Dance Club	2014
Cacao Market	67 Guernsey Street	Chocolate factory/shop/café	2015

This trend of largely commercial development is anticipated to continue. One block to the north of the Wythe Hotel, the 22-story building under construction at 55 Wythe Avenue between North 12th and North 13th Streets will consist of a 260,000 sf mixed-use commercial development that would include approximately 183 hotel rooms, retail space and five stories of commercial office space. Across Wythe Avenue to the east of the Proposed Development Site, the 96 Wythe Avenue project (located on North 10th Street between Wythe Avenue and Kent Avenue) is expected to result in a 44,000 sf, 120-room boutique hotel. In addition, in absence of the Proposed Action, an approximately 605,536 gsf mixed community facility and commercial building would be constructed on the Proposed Development Site. The as-of-right 10-story building would including approximately 36,921 gsf of retail would be located on the ground floor; 237,982 gsf of community facility uses would be located on the fourth through ninth floors; and 64,338 gsf of commercial office uses to be located on the ninth and tenth floors, as well as an approximately 14,328 gsf public pedestrian walkway on the ground floor. Approximately 266,295 gsf of parking (1,100 spaces) would be located on the cellar and sub-cellar levels, as well as the second and third floors to meet existing accessory parking requirements in M1-2 districts.

As M1 manufacturing zones permit commercial uses, including office, hotel, nightclubs, retail and restaurants, as well as industrial uses, manufactures and other industrial uses must complete with these

commercial uses for space, which can typically afford higher rents. This real estate pressure is particularly acute in the study area given the close proximity of the highly desirable residential real estate markets of Williamsburg to the south and Greenpoint to the north. Real estate values have increased considerably and rents have followed suit. Many industrial properties in the area are either vacant and being warehoused for future development, or are soon to close due to planned redevelopment.

Typical asking rents in the study area have increased substantially. Industrial properties that formerly rented for approximately $11 to $15 per square foot have increased to upwards of $35 to $40 per square foot. **Table D-5** provides a listing of recent asking rents for commercial and industrial properties within an approximate ½-mile radius of the Proposed Development Site. As shown in **Table D-5**, there is a significant range in asking rent from a low of $17 to upwards of more than $100 per square foot. Most properties are listed with rents in the mid-to upward $40's and low $50's.

Table D-5: Current Asking Rents in the Study Area

Address	Building Type	Available SF	Asking Rent
61 North 9th Street	Class C Warehouse, 9,000 sf	1,500 sf	$50/sf
118 North 11th Street	Class C Warehouse, 135,000 sf	89,601 sf	$60 to $70/sf
184-196 North 10th Street	Class B Office, 100,000 sf	4,102 sf	$50 to $51/sf
119 North 11th Street	Class C Office, 86,060 sf	4,100 sf	$55/sf
130 North 13th Street	Class B Warehouse, 12,500 sf	12,500 sf	$110/sf
11-25 Franklin Street	Class C Manufacturing, 16,000 sf	15,000 sf	$75/sf
74 Calyer Street	Class C Warehouse, 17,500 sf	2,000 sf	$55/sf
774 Manhattan Avenue	Class C Office, 9,385 sf	1,000 sf	$48/sf
875 Manhattan Avenue	Class C Office, 9,600 sf	7,100 sf	$45/sf
42 West Street	Class Flex, 50,000 sf	40,000 sf	$40/sf
61-67 West Street	Class C Manufacturing, 73,600 sf	2,980 sf	$17 to $31/sf
29-43 Wythe Avenue	Class C Manufacturing, 21,000 sf	5,000 sf	$32/sf

Notes:
Source: aptsandlofts.com, data provided in May 2015.

The Proposed Action would introduce an approximately 485,156 gsf primarily commercial building. The Proposed Development would be comprised primarily of large-footprint commercial office uses occupying approximately 278,754 gsf, approximately 70,722 gsf of RIU's, approximately 37,347 gsf of local retail, an approximately 14,328 gsf public pedestrian walkway, and 275 accessory parking spaces. As compared to the future without the Proposed Action, the Proposed Action would result in an incremental (net) increase of approximately of 214,416 gsf of office, 426 gsf of local retail, and 70,722 gsf of RIU's, and a net decrease of 237,982 gsf of community facility space (medical office) and 197,962 gsf of parking (825 spaces) and loading. The total difference between built square footage in the No-Action and With Action conditions would be a loss of approximately 120,380 gsf.

It is anticipated that typical office tenants at the Proposed Development would be companies in the technology and creative media industries, consistent with existing trends in the surrounding area (e.g., Amazon has a new photo studio located a block south of the Proposed Development Site). It is anticipated that the 70,722 gsf of RIU's would be occupied by small scale manufacturers, such as furniture, jewelry, or food manufacturers based on the tenant mix located in similar facilities in the surrounding area (e.g., the Greenpoint Manufacturing and Design Center). The 37,347 gsf of ground floor retail spaces would have small footprints and would be occupied by local retail uses. Approximately 275 parking spaces would be located on the building's cellar level, which would be accessed from North 13th Street.

A zoning map change is proposed that would create the Industrial Business Incentive Area (IBIA), which would comprise the single-block Proposed Development Site (Block 2282, Lot 1) and would serve as an experimental pilot. This proposed zoning map change would create special permits that would be

available within the IBIA, requiring a discretionary action for any applicant seeking to take advantage of the special permit. No other zoning map or zoning text changes are proposed for the Proposed Development Site or the study area. The area would retain its existing high-performance manufacturing zoning. The Proposed Action would encourage the economic development of compatible land uses that are expected to retain and strengthen the industrial area as well as add to and diversify the commercial market. As described in **Attachment A, "Project Description,"** the proposed Zoning Text Amendment is intended to establish special regulations to encourage the development of new buildings to attract the tech industry and small-scale manufacturers, encourage job creation in Brooklyn CD 1, provide increased walk-to-work opportunities in Brooklyn CD 1, encourage increased density of appropriate land uses, establish urban design guidelines to accommodate increased densities, and strengthen the economic base of the City, conserve the value of land and buildings, contribute to a diverse mix of business uses and employment in the area, and protect the City's tax revenues. The Proposed Action is intended to provide additional flexibility for economic growth in the area, as well as support and enhance industrial uses.

As described below, the Proposed Action would not introduce any new uses or economic activities within the study area, nor is it expected to alter existing economic patterns in the study area or add to a particular sector of the local economy. It would introduce commercial office, retail, as well as light industrial uses, all of which are permitted in the M1-2 district. The Proposed Action would add approximately 70,722 gsf of RIU's, which would help to retain and support light industrial/manufacturing uses in the Greenpoint-Williamsburg IBZ. The proposed permitted and IU's (office and local retail uses) would be consistent with the existing mix of land uses in the study area and would not represent new uses that would substantially alter existing economic patterns or accelerate an ongoing trend. Although the proposed office use would be substantial and the Proposed Development would become the largest office building within the ¼-mile study area, office use is located in the study area and introducing additional commercial office space in Williamsburg would address a borough-wide need for more commercial office space, particularly for technology firms. As a whole, Brooklyn has seen a resurgence of its office base. A spike in demand from the media, technology, and creative industries in particular has led to a very low inventory of available commercial space in Downtown Brooklyn, DUMBO, and Williamsburg. Commonly cited reasons given for this demand include the desire of these types of tenants to occupy converted loft spaces, and the attraction of operating in close proximity to communities in which their workforces reside. As described in **Attachment A, "Project Description,"** a coalition of economic development organizations representing DUMBO, Downtown Brooklyn, and the Navy Yard, projected that roughly 2.6 million to 3.9 million square feet of office space is needed in the area by 2015 to accommodate the needs of existing technology firms located in Brooklyn as well as the needs of firms that would like to locate there. Furthermore, just beyond the study area, approximately half a mile to the south of the Proposed Development Site over 500,000 gsf of office space is being developed as part of the Domino Sugar project.

Businesses most vulnerable to indirect displacement due to increased rent are typically those businesses whose uses are less compatible with the economic trend that is creating upward rent pressures in the study area, i.e., those businesses that tend not to benefit directly (in terms of increased business activity) from the market forces generating the increases in rent. For example, if a neighborhood is becoming a more desirable place to live, uses that are less compatible with residential conditions (such as manufacturing) would be less able to afford increases in rent due to increases in property values than a neighborhood service use, such as a restaurant, which could see increased business activity from the increased residential presence. In addition, industrial businesses tend not to benefit directly from the increased consumer dollars in the area and therefore are less able to afford rent increases due to rising property values.

Industrial businesses could be considered potentially vulnerable to indirect displacement, as a property owner could decide to convert an existing industrial property to retail or other commercial uses. While

some industrial businesses could be displaced due to upward rent pressure in the future With-Action condition, upward rent pressure is already present in the study area and is expected to continue into the future without the Proposed Action. As described above, manufactures and other industrial uses are currently experiencing real estate pressures of increasing rents and land values, and are often forced to complete with commercial uses for space, which can typically afford higher rents. A number of industrial properties in the area are either vacant and being warehoused for future development, or are soon to close due to planned redevelopment. Recent commercial projects in the area include the VICE Magazine office at 99 North 10th Street, which is in the process of expanding into an adjacent property. Several co-working spaces have also been developed just outside of the study area, including 240 Kent Avenue and the Yard at 33 Nassau Avenue. In addition, in the future without the Proposed Action, the Proposed Development Site would be developed with a mix of commercial and community facility uses, and there are a number of commercial uses planned for the study area on former manufacturing land. While the Proposed Action would contribute to an existing trend of increasing commercial development in the study area, any upward rent pressure experienced by industrial businesses in the area would be present in the future without the Proposed Action.

Therefore, the Proposed Action would not alter existing economic patterns by introducing a new economic activity to the study area.

Would the proposed project directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses?

The Proposed Development would not directly displace uses of any type. The Proposed Development Site is currently vacant, and, absent the Proposed Development, the Proposed Development Site will be redeveloped with a mix of commercial and community facility uses.

Would the proposed project directly or indirectly displace residents, workers, or visitors, who form the customer base for local businesses?

As described previously, the Proposed Action would not result in any direct business or residential displacement, and the Proposed Action is not expected to indirectly displace a substantial number of residents or workers who form a customer base for local businesses. The Proposed Development is not expected to result in significant indirect business displacement that would negatively affect the customer base of any existing businesses in the study area. The Proposed Development would introduce new office, retail, and light industrial workers that would add to the customer base of the existing businesses.

Attachment E

Urban Design and Visual Resources

I. INTRODUCTION

Together, the urban design components and visual resources of an area define the distinctive identity of a neighborhood. In an urban design assessment pursuant to the *2014 CEQR Technical Manual*, one considers whether and how a project may change the experience of a pedestrian in the study area. The assessment focuses on the components of a project that may have the potential to alter the arrangement, appearance, and functionality of the built environment, as experienced by pedestrians in the study area. These components include building bulk, use, and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. The concept of bulk is created by the size of a building and the way it is massed on a site. Height, length and width define a building's size; volume, shape, setbacks, lot coverage, and density define its mass.

This attachment assesses the potential effects on urban design and visual resources that could result from the Proposed Action. The following analysis addresses each of the urban design characteristics for existing conditions and the future without and with the Proposed Action for the analysis year of 2018. As detailed in **Attachment A, "Project Description,"** the Proposed Action includes a zoning text amendment and related special permits that would facilitate the development of a 485,156 gross square foot (gsf) building on the Proposed Development Site with commercial space, industrial space, and parking.

II. PRINCIPAL CONCLUSIONS

As described below, the Proposed Action would not result in significant adverse impacts to urban design or visual resources within the primary study area (includes the Proposed Development Site/Industrial Business Incentive Area), or in the 400-foot study area. Development facilitated by the Proposed Action would be largely unchanged from the under construction as-of-right building which would contain community facility uses, local retail, commercial office, and parking. It is being built on an existing block, and would not entail any changes to topography, street patterns, street hierarchy, block shapes, or natural features. The Proposed Development would be built in accordance with the proposed special permits and applicable New York City Zoning bulk requirements, and would meet the site design, envelope, and urban design requirements specified in the Zoning Text Amendment. The proposed building would not negatively alter views in the study area from adjacent publicly-accessible locations, and would not obstruct any view corridors of significant visual resources. The proposed building is expected to further define view corridors in the 400-foot study area by creating solid street walls along North 12th and 13th Streets, which would also enhance the pedestrian experience in the area with ground-floor retail spaces. As such, the Proposed Action would not result in significant adverse impacts to urban design and visual resources, but is expected to complement and improve the urban design of the area.

III. METHODOLOGY

Determining Whether an Urban Design Analysis is Necessary

Urban design is the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open space, natural features, and wind and

sunlight conditions. These elements, as defined in the *2014 CEQR Technical Manual*, are described below:

- Streets. The arrangement and orientation of streets define the location and flow of activity in an area, set street views, and create the blocks on which buildings and open spaces are organized. The apportionment of street space between cars, bicycles, transit, and sidewalk areas is critical to making a successful streetscape, as is the careful design of street furniture, grade, materials used, and permanent fixtures, including plantings, street lights, fire hydrants, curb cuts, or newsstands.
- Buildings. Buildings support streets. A building's street walls form the most common backdrop in the city for public space. A building's size, shape, setbacks, lot coverage, placement on the zoning lot and block, the orientation of active uses, and pedestrian and vehicular entrances all play major roles in the vitality of the streetscape. The public realm also extends to building façades and rooftops, offering more opportunity to enrich the visual character of an area.
- Visual Resources. A visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.
- Open Space. For the purpose of urban design, open space includes public and private areas such as parks, yards, cemeteries, parking lots and privately owned public spaces.
- Natural Features. Natural features include vegetation and geologic, topographic, and aquatic features. Rock outcroppings, steep slopes or varied ground elevation, beaches, or wetlands may help define the overall visual character of an area.
- Wind. Channelized wind pressure from between tall buildings and down washed wind pressure from parallel tall buildings may cause winds that jeopardize pedestrian safety.

In general, an assessment of urban design is needed when a project may have effects on one or more of the elements that contribute to the pedestrian experience, which are described above. Pursuant to the *CEQR Technical Manual*, projects that permit modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed as-of-right, or in the future without the Proposed Action, require preliminary analysis. As described in **Attachment A, "Project Description,"** the Proposed Action involves a zoning text amendment and special permits. The proposed Zoning Text Amendment would (1) create a special permit available on the Development Site, which is located within the Greenpoint Williamsburg Industrial Business Zone (the "G-W IBZ") and is mapped M1-2 (the "Industrial Business Incentive Area"); and (2) establish certain use, site design, envelope and urban design requirements and allow for modification of parking and loading requirements applicable to developments utilizing the special permits. Under the proposed zoning, for projects that devote one square foot of floor area to Required Industrial Uses, the proposed zoning allows a 3.5 square foot increase in allowable floor area beyond the 2.0 FAR limitation on commercial and industrial uses of the underlying M1-2 district if certain design, envelope and urban design findings are met, provided that such development or enlargement does not include a transient hotel. Under the proposed special permits, the CPC may also modify parking and loading requirements if certain findings are met. As such, a preliminary urban design and visual resources analysis is warranted.

Per criteria of Section 230 of the *CEQR Technical Manual*, a wind condition analysis is not required for the Proposed Action. CEQR states that high wind conditions in New York City typically happen along waterfronts, or other locations at or in close proximity to waterfront sites where prevailing winds from the waterfront are not attenuated by buildings or natural features. The Proposed Development Site is located over 400 feet east of the East River in the Northside neighborhood of Williamsburg, Brooklyn. Additionally, the Proposed Development would involve the construction of one eight-story building on an

existing block, and would therefore not exacerbate pedestrian wind conditions in the area. As such, a wind analysis is not warranted for the Proposed Action.

Study Area

As defined in the *2014 CEQR Technical Manual*, the urban design and visual resources study area consists of the area where the project may influence land use patterns and the built environment. As shown in **Figure E-1,** the 400-foot study area extends approximately 400 feet from the boundary of the Development Site. The 400-foot study area is generally bounded by a point approximately midway between North 14th and North 15th Streets to the north, fronting point just west of Berry Street on the east, a point approximately midway between North 10th and North 11th Street to the south, and also includes portions of several waterfront blocks located west of Kent Avenue.

The following analysis is based on field visits, photographs, aerial views, and other graphic images of the Proposed Development Site and surrounding study area. Zoning calculations, including floor area calculations, building heights, and lot coverage information are also provided for the Proposed Development Site and, where applicable, the study area.

IV. EXISTING CONDITIONS

Urban Design

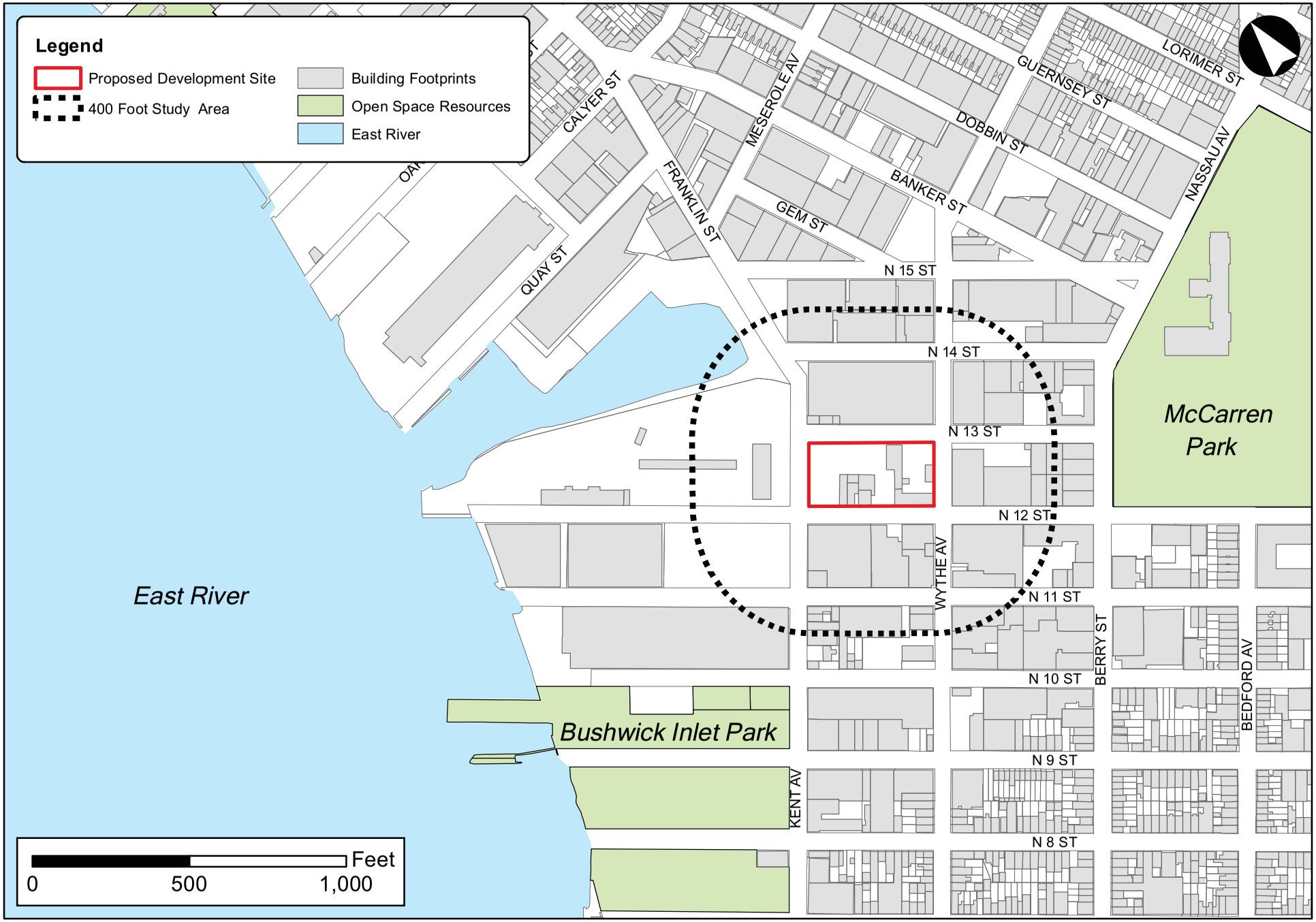
Primary Study Area

The approximately 80,000 sf Proposed Development Site (Block 2282, Lot 1) is located in the Northside neighborhood of Williamsburg, Brooklyn, and is bounded by Kent Avenue to the west, North 13th Street to the north, Wythe Avenue to the east, and North 12th Street to the south (refer to **Figure E-1**). The site, which was formerly occupied by a construction equipment rental company, is currently undergoing site preparations for the construction of an as-of-right commercial and community facility building. As shown in **Figure E-2**, the Proposed Development Site is currently enclosed by construction fencing, and all previous buildings on the site have been demolished.

There are no streets, natural features, or open space resources located in the Proposed Development Site.

Buildings
As detailed in **Attachment C, "Land Use, Zoning, and Public Policy,"** and as described above, there are no buildings on the Development Site at present (refer to **Figure C-1**).

Streets & Streetscape
The area immediately surrounding to the Development Site to the north, east and south is characterized by a generally regular street grid, creating uniform block sizes (refer to **Figure E-1**). To the west, the waterfront blocks are less uniform. As a result of their close proximity to the East River and McCarren Park, most of the streets in the immediate vicinity of the Development Site carry local traffic. As shown in **Figure E-2**, the majority of streets adjacent to the Development Site are narrow, one-way roads with parallel parking lanes on both sides of the street; North 13th Street is narrow, but carries two-way traffic. Kent Avenue is a designated local truck route. There is a designated southbound bike path on the western side of Wythe Avenue, and designated northbound and southbound bike paths on the western side of Kent Avenue.



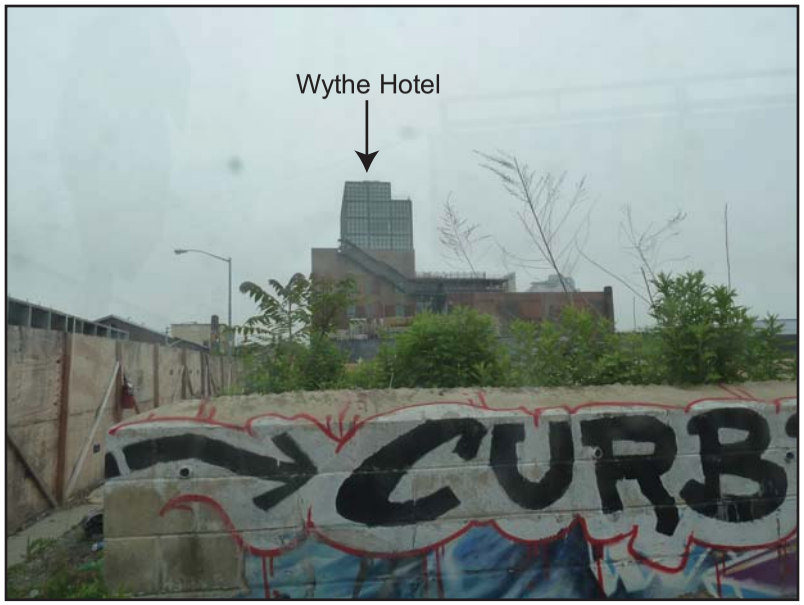
25 Kent Avenue EAS

Figure E-1
Urban Design Study Area

25 Kent Avenue EAS

Figure E-2a
Aerial Map and Photo Key

1. View northwest from midblock on North 12th Street.



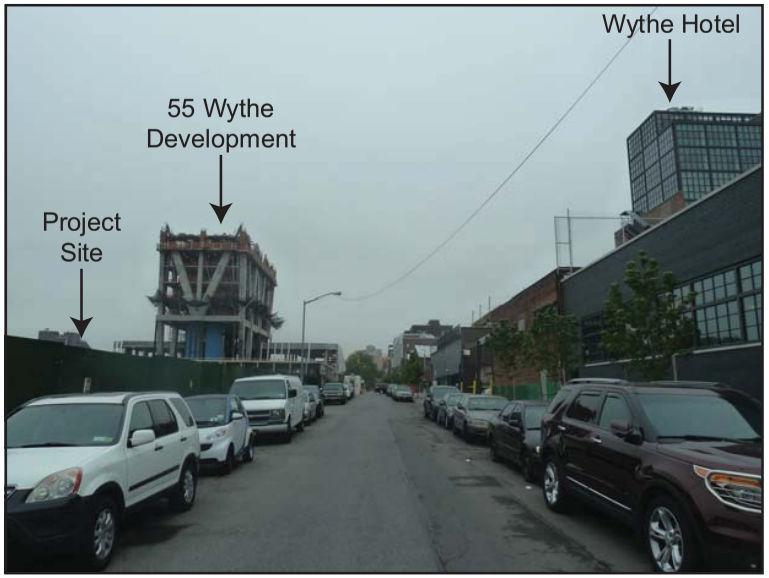
2. View south from North 13th Street near Wythe Avenue.

3. View southeast from corner of North 13th Street and Kent Avenue.

4. View east from midblock on Kent Avenue.

Figure E-2b

Existing Photos - Project Site



A. View east from midblock on North 12th Street.

B. View south from North 13th Street near Wythe Avenue.

C. View southwest from corner of North 12th Street and Berry Street.

D. View west from corner of North 10th Street and Wythe Avenue.

E. View west of Manhattan Skyline and East River from Kent Avenue and North 12th Street.

F. View west of Manhattan Skyline from Wythe Avenue and North 12th Street.

G. View east of McCarren Park from North 13th Street, midblock between Wythe Avenue and Berry Street.

All of the streets in the vicinity of the Development Site are flanked by concrete sidewalks with street lights, and several of the streets near recent developments and conversions, have newly planted street trees.

Natural Features & Open Space
The topography of the area surrounding the Development Site is generally flat, and there are no natural features or open space resources located in the area or on the Proposed Development Site.

400-Foot Study Area

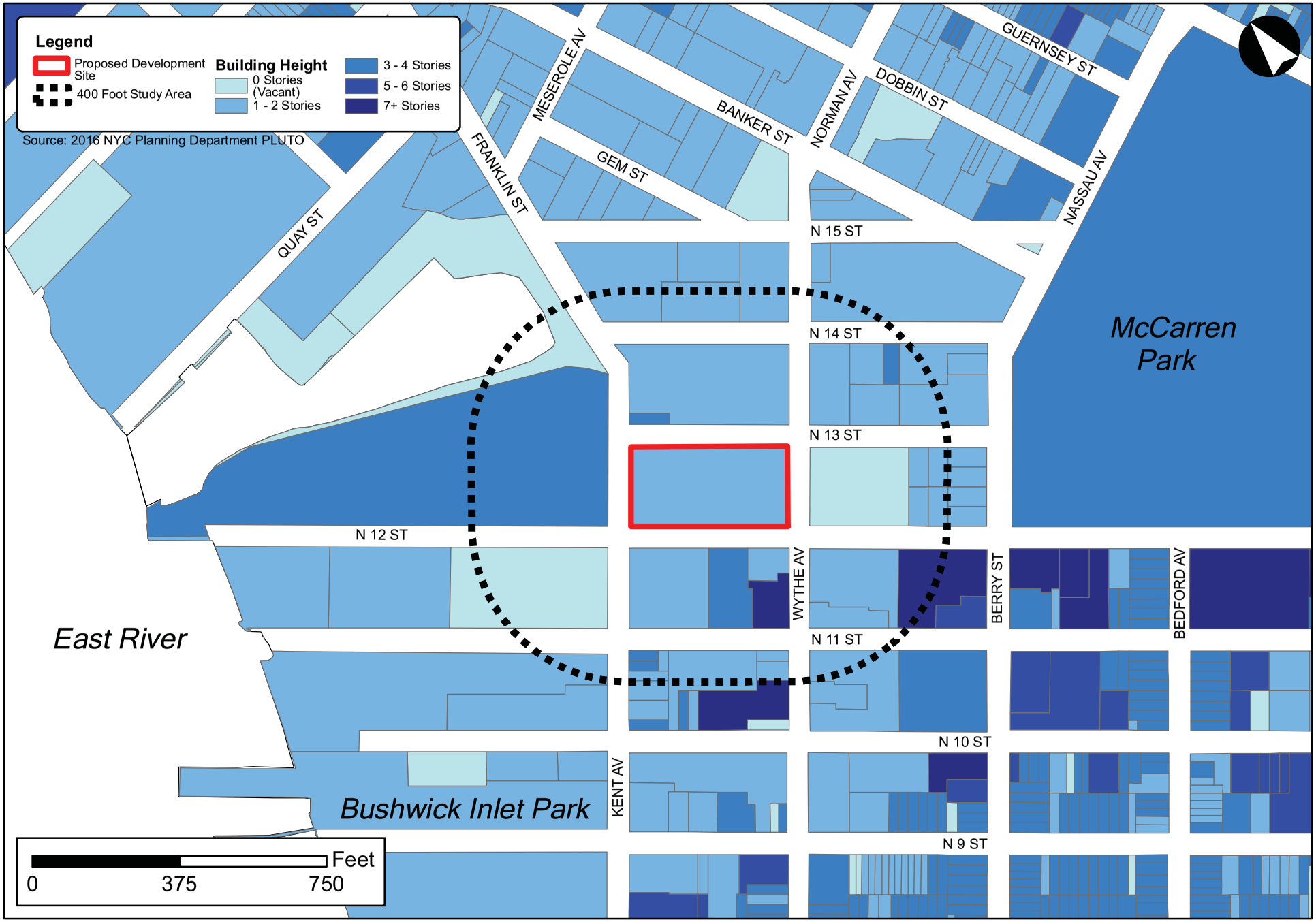
Buildings
As detailed in **Attachment C, "Land Use, Zoning, and Public Policy,"** the predominant land use in the 400-foot study area is light manufacturing (refer to **Figure C-1**). There are also an assortment of commercial uses, residential buildings, and parking facilities in the 400-foot study area. The current land uses in the 400-foot study area reflect both longstanding manufacturing and industrial buildings (some of which have been converted to commercial uses) and a significant amount of new development that has taken place since the 2005 Greenpoint-Williamsburg Rezoning. Over this approximately ten year period, buildings throughout the 400-foot study area have been converted to commercial uses.

New buildings and significant additions have generally occurred in the southern and eastern sections of the 400-foot study area. As indicated above, recently constructed buildings are all taller and denser than existing buildings (refer to **Figures E-3** and **E-4**). Examples include the Wythe Hotel expansion at 80 Wythe Street (northwest corner of North 11th Street), which now rises eight stories. Additionally, a 22-story hotel is under construction at 55 Wythe Avenue (between North 12th and North 13th Streets), immediately east of the Proposed Development Site, and an eight-story hotel is under construction at 96 Wythe Avenue (northwest corner of North 10th Street), in the southernmost section of the Industrial Business Incentive Area (refer to **Figure E-2**). Additionally, the 97 Wythe Avenue project (located to the southeast of the Proposed Development Site on Wythe Avenue between North 9th and North 10th Streets) is anticipated to result in a nine-story, approximately 59,910 sf hotel with 175-rooms and restaurants on the second floor and roof. Excavation of the site is currently underway.

A majority of both old and new buildings in the study area are built out to the lot lines, creating continuous streetwalls throughout the area. Older, industrial buildings tend to be brick structures, while newer developments are typically clad in glass. The Wythe Hotel at 80 Wythe Street displays both of these building styles, with a new glass-clad tower rising above original, predominantly brick facades (refer to **Figure E-2**). Many of the ground-floors of older buildings in the northern section of the 400-foot study area have long, blank street walls.

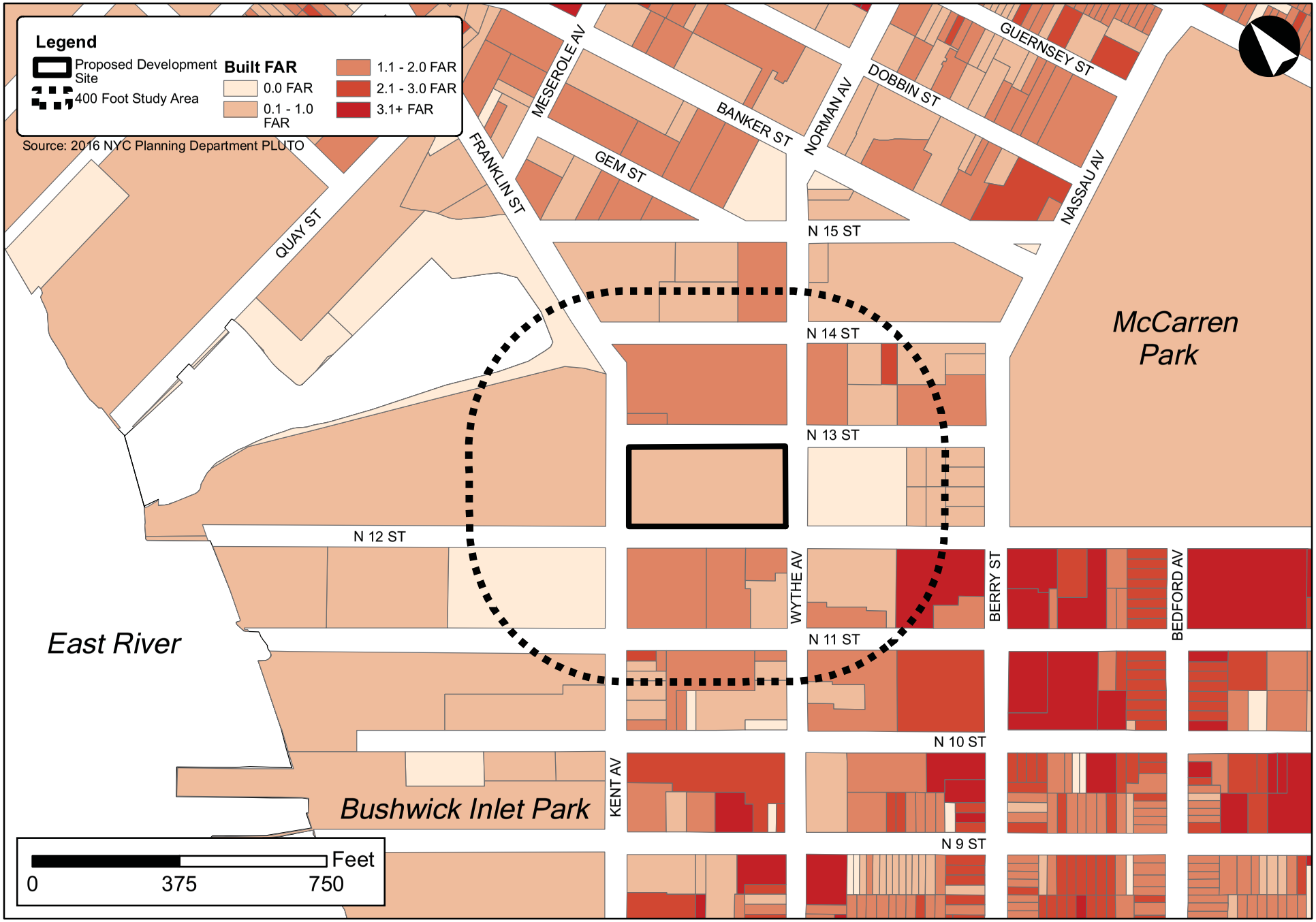
To the west of Kent Avenue is a large block bounded by North 12th Street, Kent Avenue, and the East River, which accommodates the Bayside Fuel Oil Depot Corporation, a facility with paved parking areas, three buildings, and several large cylindrical fuel containers along the waterfront. The facility is surrounded by chain-link fencing (refer to **Figure E-2**). Immediately to the south is a vacant lot surrounded by chain-link fencing which is used for the Brooklyn-Williamsburg Flea Market, and two large, two-story industrial buildings, which are built-out to the lot lines in a similar fashion to the rest of the study area. These areas are both mapped as part of the future Inlet Park.

Streets & Streetscape
The 400-foot study area is characterized by a generally regular street grid, creating uniform block sizes to the east of Kent Avenue (refer to **Figure E-1**). The blocks to the west of Kent Avenue, immediately adjacent to the East River, are irregular and larger in size. As a result of their close proximity to the East River and McCarren Park, most of the streets in the study area carry local traffic. As shown in **Figure E-**



25 Kent Avenue EAS

Figure E-3
Building Heights



25 Kent Avenue EAS

Figure E-4
Building Densities

2, the majority of streets in the study area are narrow, one-way roads with parallel parking lanes on both sides of the street. There is a designated southbound bike path on the western side of Wythe Avenue, and designated northbound and southbound bike paths on the western side of Kent Avenue.

All of the streets in the 400-foot study area are flanked by concrete sidewalks with street lights, and several of the streets near recent developments and conversions, have newly planted street trees.

Natural Features & Open Space
The topography of the 400-foot study area is generally flat, and there are no natural features or open space resources located in the area. However, future phases of Bushwick Inlet Park will be constructed immediately west of the Proposed Development Site along the waterfront blocks west of Kent Avenue. Additionally, the East River, a significant natural feature, is located immediately beyond the western limits of the 400-foot study area. Further, two large publicly-accessible open space resources with natural features are located within close proximity to the 400-foot study area: the 35-acre McCarren Park is located immediately east of the 400-foot study area, and the 17-acre Bushwick Inlet Park is located to the southwest of the 400-foot study area (refer to **Figure E-1**).

Visual Resources

Primary Study Area

The Proposed Development Site has historically contained industrial/manufacturing uses as well as an equipment rental business. All buildings and structures related to prior on-site uses have been demolished to accommodate the construction of the as-of-right project. As such, there are no significant visual resources in the Proposed Development Site.

400-Foot Study Area

There are no significant visual resources in the 400-foot study area. However, as indicated above, the future phases of Bushwick Inlet Park will be constructed west of Kent Avenue along the East River. Further, the Manhattan skyline, East River, and McCarren Park are considered important visual resources immediately outside of the 400-foot study area. As shown in **Figure E-2**, the Manhattan skyline and East River can be seen when looking west from North 11th, North 12th, and North 14th Streets in the 400-foot study area, and McCarren Park can be seen when looking east from North 13th and North 14th Streets in the 400-foot study area.

V. FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION CONDITION)

Urban Design

Primary Study Area

As detailed in **Attachment A, "Project Description,"** in the future without the Proposed Action, the Proposed Development Site would be redeveloped with an as-of-right mixed community facility and commercial building. Plans for the as-of-right building were filed with the New York City Department of Buildings (DOB) in June 2014 and building foundation plans were approved by DOB in April 2015. As the Proposed Development Site is located in an M1-2 zoning district, it is permitted a maximum FAR of 4.8, with building heights and setbacks controlled by a sky exposure plane.

Under No-Action conditions, it is anticipated that the Proposed Development Site would accommodate a ten-story, 153-foot tall (175 feet to the top of the mechanicals), approximately 605,536 gsf building with an FAR of 4.79. The building would be built-out to the lot line along much of North 12th and North 13th Streets, with pedestrian access to ground-floor retail. A central, pedestrian passageway through the building would link Kent and Wythe Avenues with additional ground-floor retail space (refer to **Figure E-5**). Additionally, two plazas would be created at the corners of the property. However, as the design of the plaza spaces would not be held to the proposed design requirements of the proposed Zoning Text Amendment, the features within the plaza would be different. Below-grade, second floor, and third floor parking garages would be located on the Proposed Development Site, with vehicular access from North 12th and North 13th Streets.

The anticipated No-Action building would be clad in glass along Wythe and Kent Avenues, while the facades fronting North 12th and North 13th Streets would be brick. Street trees would be planted around the Proposed Development Site and landscaping would be provided within the central pedestrian passageway. Additionally, and the building would include a private rooftop garden (refer to **Figure E-5**).

Buildings
As described above, there are DOB-approved plans for an as-of-right building on the Proposed Development Site.

Streets & Streetscape
Under No-Action conditions, it is anticipated that street trees will be planted around the No-Action development, in keeping with City policy. No other changes to streets or streetscapes are expected on the Proposed Development Site in the future without the Proposed Action.

Natural Features & Open Space
There are no natural features or open spaces on the Proposed Development Site under existing conditions. In the future without the Proposed Action, it is anticipated that two plazas would be constructed on the Proposed Development Site.

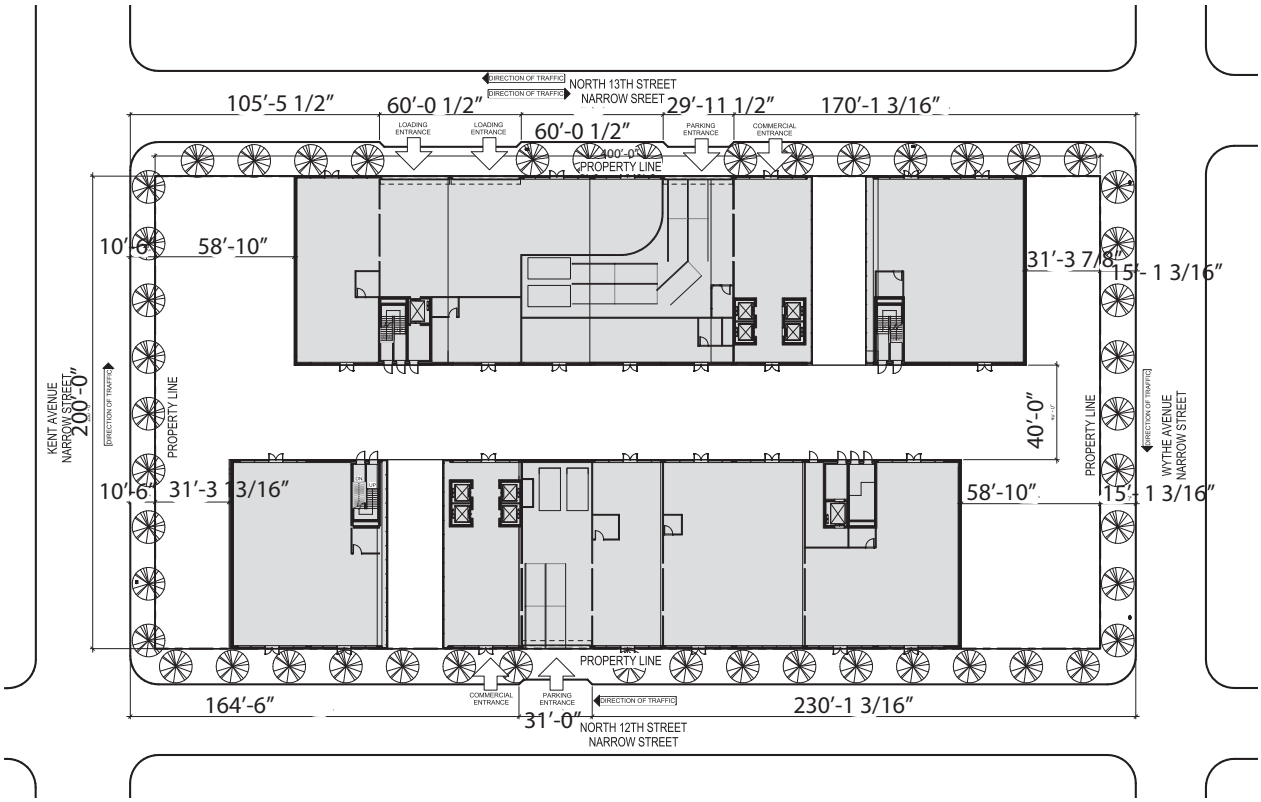
400-Foot Study Area

Buildings
As detailed in **Attachment C, "Land Use, Zoning, and Public Policy,"** there are three buildings anticipated to be completed in the 400-foot study area in the future without the Proposed Action: a 22-story hotel with retail and community facility space is under construction at 55 Wythe Avenue (between North 12th and North 13th Streets), immediately east of the Proposed Development Site; an eight-story hotel is under construction at 96 Wythe Avenue (northwest corner of North 10th Street), in the southernmost section of the study area; and a nine-story hotel is under construction at 97 Wythe Avenue (between North 9th and North 10th Streets), to the southeast of the Proposed Development Site (refer to **Figure E-2**). These projects are anticipated to continue the existing development trend of tall, dense redevelopment projects in the increasingly mixed-use Industrial Business Incentive Area.

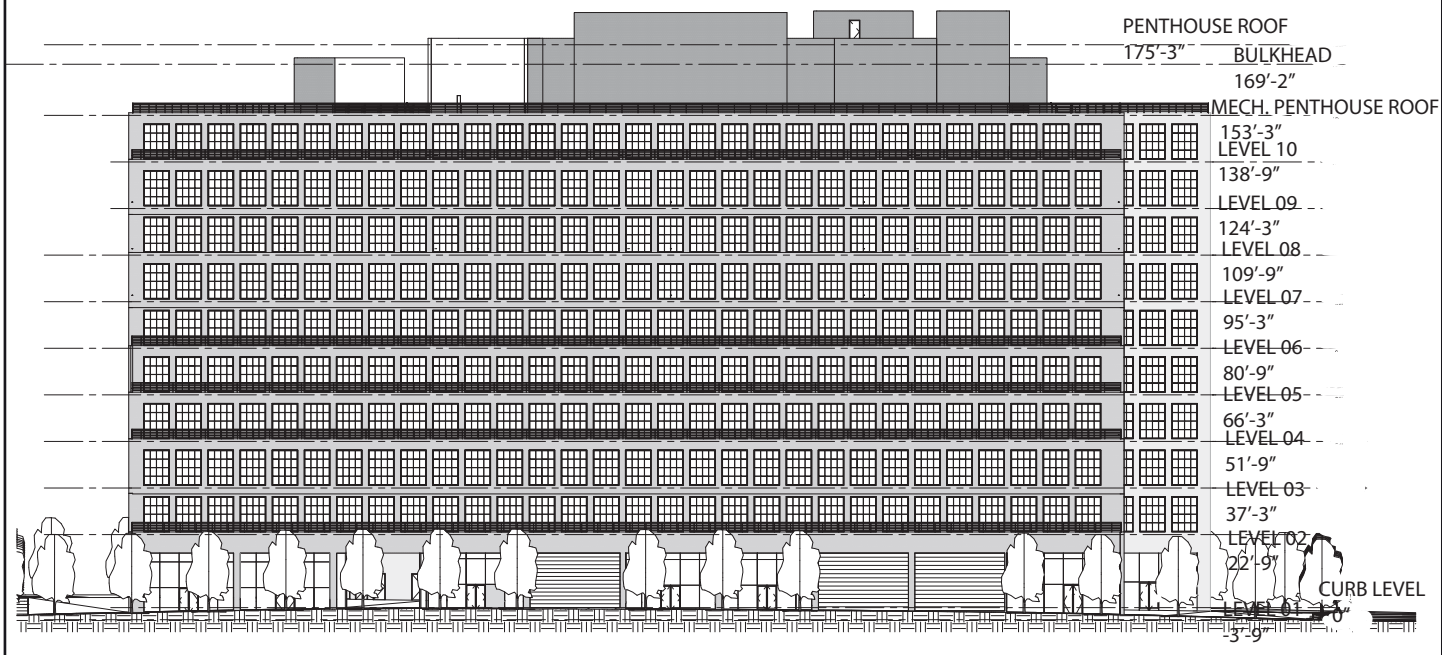
Streets & Streetscape
Under No-Action conditions, it is anticipated that more street trees will be planted around new development sites within the 400-foot study area, in keeping with City policy. No other changes to streets or streetscapes are expected in the 400-foot study area in the future without the Proposed Action.

Natural Features & Open Space
As described above, future phases of the planned Bushwick Inlet Park will be constructed along the waterfront once funding becomes available. The existing natural resources within the 400-foot study area

No-Action Development - Filed DOB Plans



Site Plan



N. 13th Street Elevation

Source: Gensler Architects

(the East River and McCarren Park) are not expected to change in the future without the Proposed Action.

Visual Resources

Primary Study Area

There are no visual resources on the Proposed Development Site, and these conditions are not expected to change in the future without the Proposed Action. As the Proposed Development Site is being developed in the future without the Proposed Action, views from the area will therefore change in the future No-Action scenario. However, no view corridors of significant visual resources would be obstructed in future No-Action conditions. The views of the Manhattan skyline and East River when looking west from North 12th and views of McCarren Park when looking east from North 13th Street would not be obstructed by the anticipated No-Action development, as all new construction would occur on an existing block. The new building is expected to further define view corridors in the area by creating solid streetwalls along adjacent east-west streets.

400-Foot Study Area

No changes to visual resources are anticipated within the 400-foot study area under No-Action conditions. Some as-of-right development may occur within this area, though it would be pursuant to existing zoning controls and is not expected to alter or block and views to the Manhattan skyline or to the area's public open spaces.

VI. FUTURE WITH THE PROPOSED ACTION (WITH-ACTION CONDITION)

As detailed in **Attachment A, "Project Description,"** the Proposed Action would create a zoning text amendment and a special permit. The proposed zoning text amendment would (1) create special permits available on the Proposed Development Site (to be mapped as an Industrial Business Incentive Area); and (2) establish certain use, site design, envelope and urban design requirements and allow for modification of parking and loading requirements applicable to developments utilizing the special permit. Under the special permits, in Industrial Business Incentive Areas, the CPC may increase the base maximum FAR for developments or enlargements that provide Required Industrial Uses in an amount equal to at least the minimum FAR specified for such uses. For every square foot of floor area set aside for Required Industrial Uses, the CPC may increase the permitted floor area by 3.5 square feet beyond the 2.0 FAR limitation on commercial and industrial uses of the underlying M1-2 zoning district if certain design, envelope and urban design findings are met, and provided that such a development or enlargement does not include a transient hotel. Under the proposed special permits, the CPC may also modify parking and loading requirements if certain findings are met.

Conditions of the special permits state that Required Industrial uses shall occupy a minimum of 5,000 sf of contiguous floor area and shall be served by loading areas and freight elevators with sufficient capacity. The zoning text amendment and special permits would establish urban design guidelines to accommodate increased densities of appropriate land uses in Williamsburg's Northside neighborhood. The proposed guidelines include:

- The height of a building or other structure, or portion thereof, located within ten feet of a street shall not exceed a maximum base height of 75 feet. Beyond ten feet of a street, the height of a building or other structure may exceed a building height of 110 feet up to a maximum building height of 135 feet, where an open area is provided on the zoning lot.

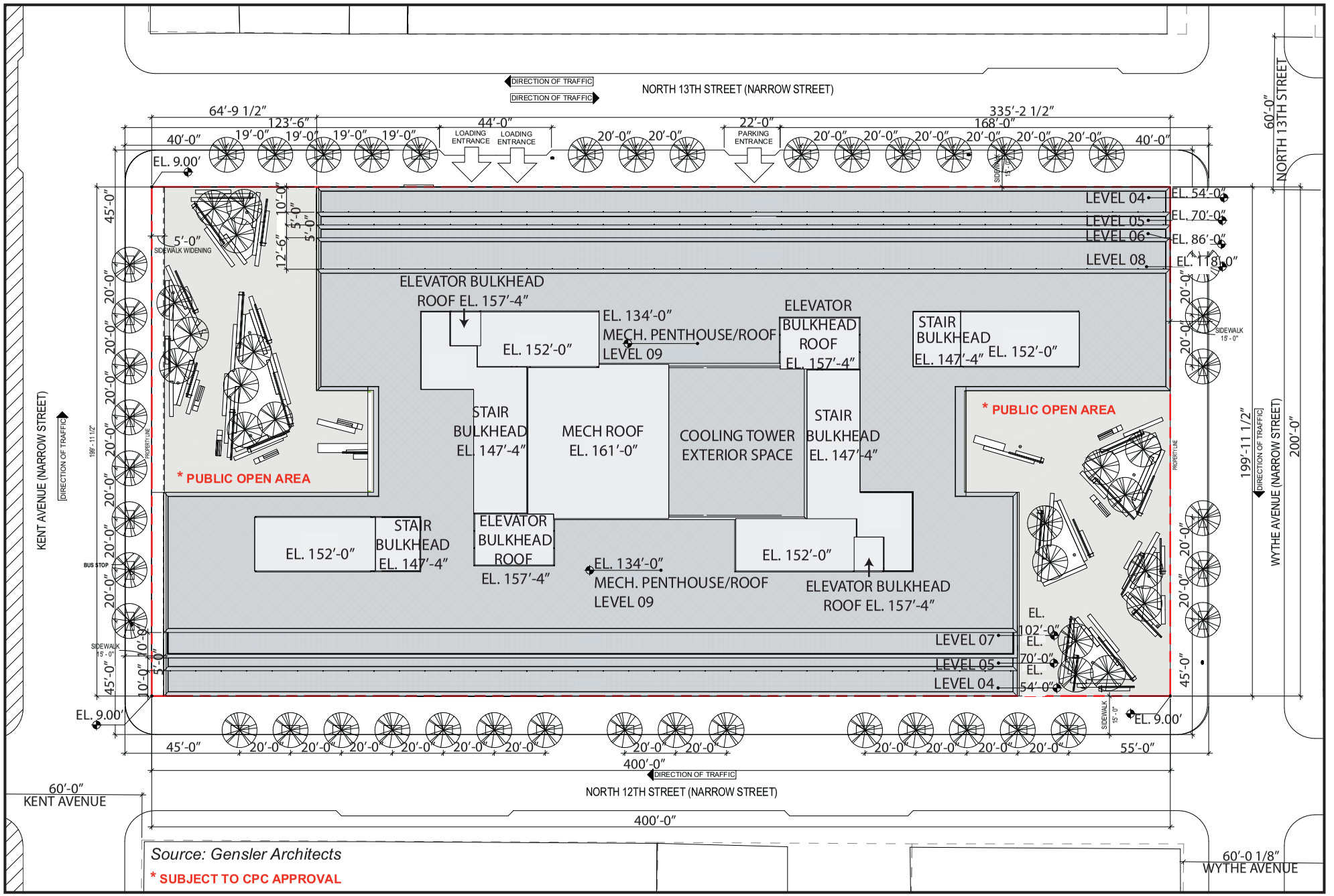
- Street walls shall be located on the street line and shall extend to a minimum base height of 55 feet and a maximum base height of 75 feet or the height of the building, whichever is less, provided that at least 70 percent of the aggregate width of the street wall below 12 feet shall be located at the street line location requirements. Additionally, on the short end of a block frontage, up to 130 feet of street walls may be set back from the street line to accommodate an open area, and a street wall located at the street line that occupies less than 40 percent of the short end of the block frontage may rise without setback to the maximum building height;
- Ground-floor level street walls and ground-floor level walls fronting an open area of a development or horizontal enlargement shall be glazed with transparent materials which may include show windows, transom windows, or glazed portions of doors, which shall occupy at least 50 percent of the surface area of such street walls, measured between a height of two feet above the level of the adjoining sidewalk or open area and a height of 12 feet above the level of the first finished floor above curb level. The floor level behind such transparent materials shall not exceed the level of the window sill for a depth of at least four feet, as measured perpendicular to the street wall;
- Rear yard requirements shall not apply to any development or enlargement on a through lot;
- Minimum sidewalk width requirements of 15 feet along the full frontage of the zoning lot;
- Parking and loading modifications in Industrial Business Incentive Areas, including reducing or waiving off-street parking requirements, inclusive, not including bicycle parking, and loading berth requirements, inclusive, provided that such reduction or waiver would not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement, the number of curb cuts provided are the minimum required and are located so as to cause minimum disruption to traffic, and the streets providing access to the development or enlargement are adequate to handle the traffic generated thereby, or provision has been made to handle such traffic.

Urban Design

Primary Study Area

Development facilitated by the Proposed Action would be built on an existing block, and would not entail any changes to topography, street pattern and hierarchy, block shapes, or natural features on the Proposed Development Site or in the 400-foot study area. As detailed in Attachment A, under With-Action conditions the proposed zoning map amendment and special permits would be implemented, facilitating the development of the Proposed Development Site with a predominately commercial office building with incentive uses and uses typically permitted in M1-2 districts, as well as Required Industrial uses and local retail space. It is anticipated that the Proposed Development Site would accommodate an eight-story, 135-foot tall (excluding rooftop mechanical equipment), approximately 485,156 gsf building with an FAR of 4.75 in the future with the Proposed Action. The Proposed Development would be built in accordance with the special permits and applicable New York City Zoning bulk requirements and would meet the site design, envelope, and urban design requirements applicable to developments making use of the special permits. Further, the bulk of the proposed With-Action building would not be very different from the planned as-of-right development that would be constructed under future conditions without the Proposed Action.

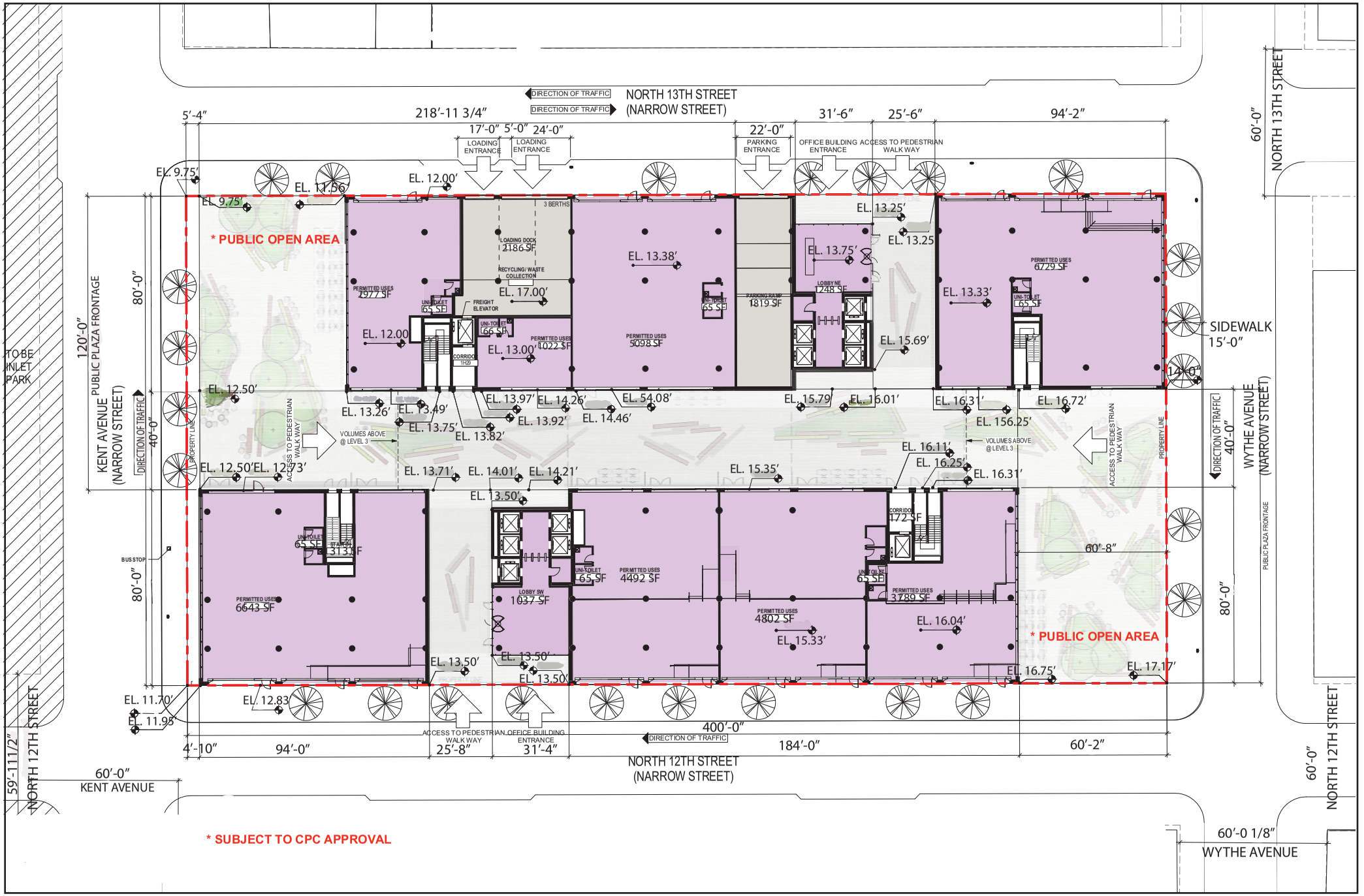
Consistent with the planned No-Action development, the proposed building would be constructed with brick and glass, in keeping with materials used throughout the Northside, Williamsburg neighborhood. As discussed above, most of the older, industrial buildings in the area are masonry structures, while newer buildings tend to be clad in glass. As shown in **Figure E-6**, the North 12th and North 13th Street facades of the proposed building are inspired by the industrial masonry structures and large fenestration found



25 Kent Avenue EAS

Figure E-6a

Site Plan



Source: Gensler Architects

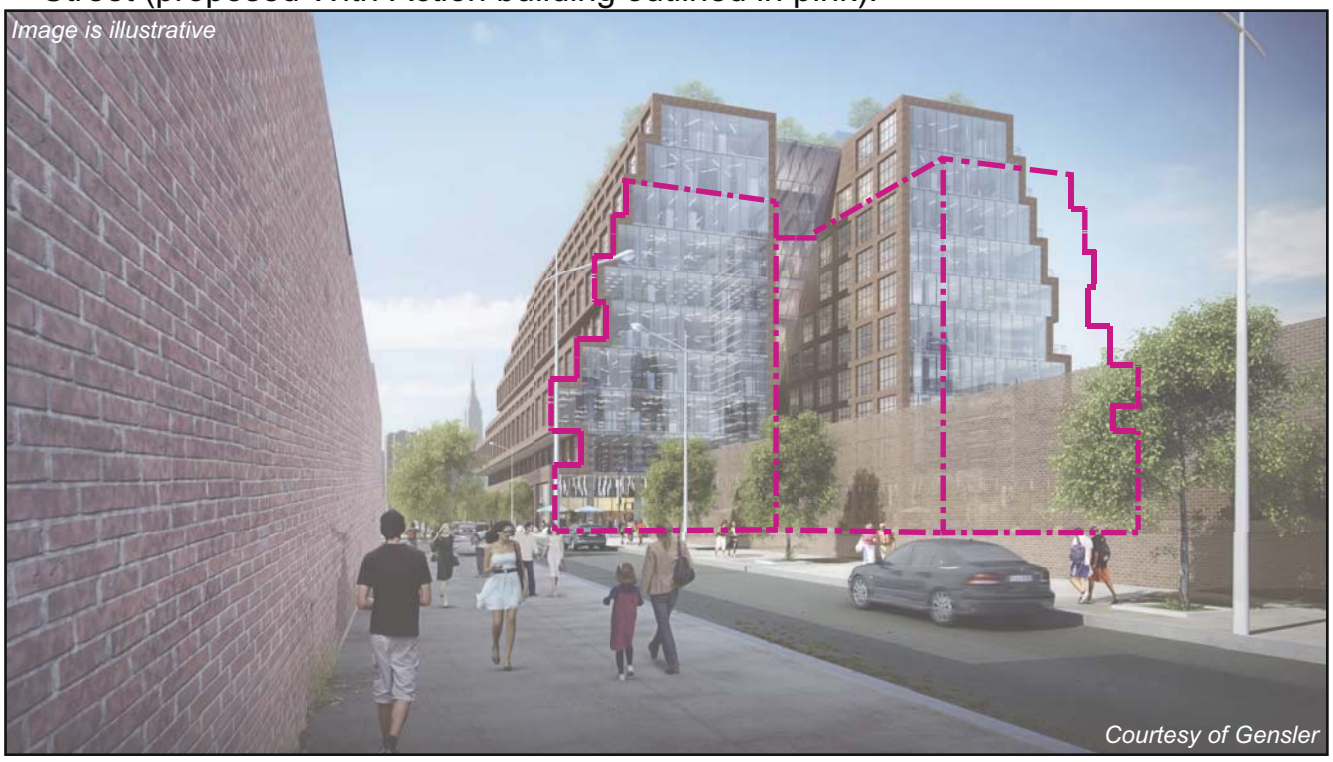
25 Kent Avenue EAS

Figure E-6b

Proposed Development-Ground Floor Plan

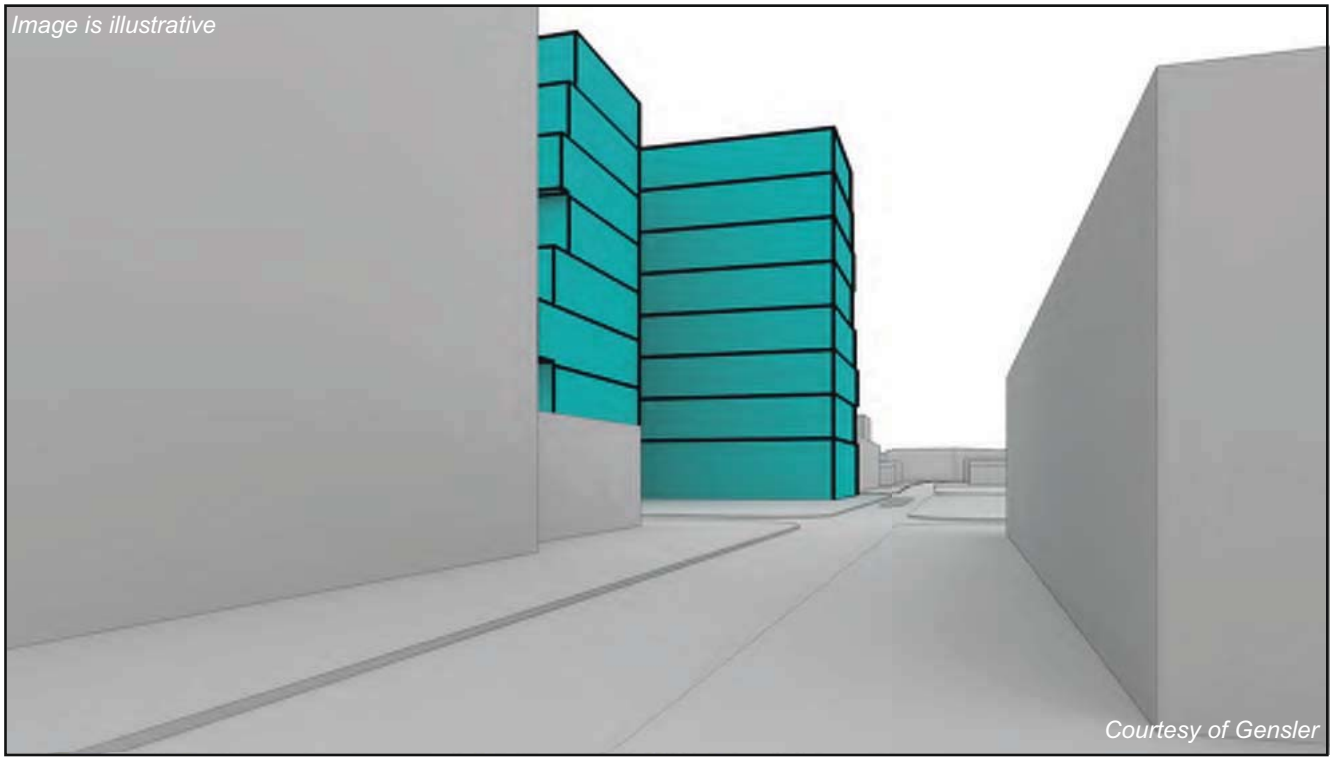
1. Existing Condition: View west of proposed development site from North 12th Street.

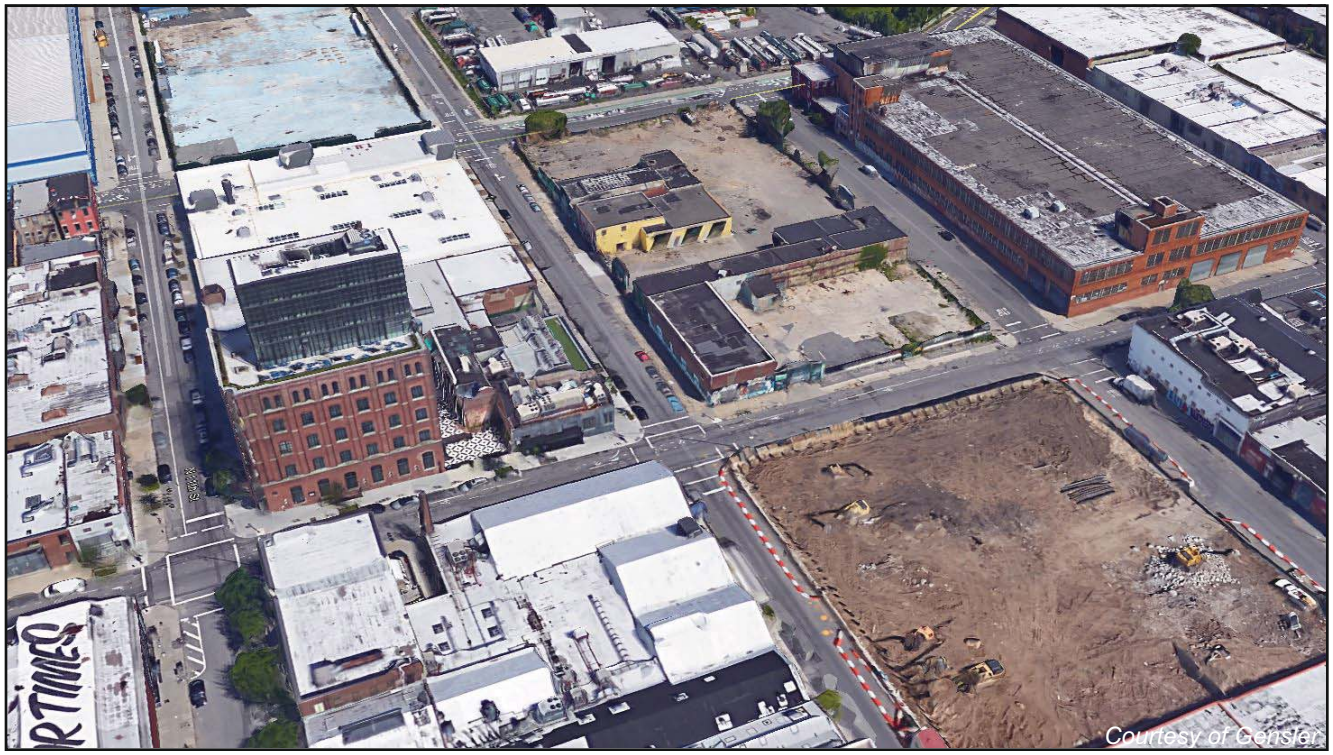
2. No-Action & With-Action Conditions: View west of proposed project from North 12th Street (proposed With-Action building outlined in pink).



3. Existing Condition: View north of proposed development site from Wythe Avenue.

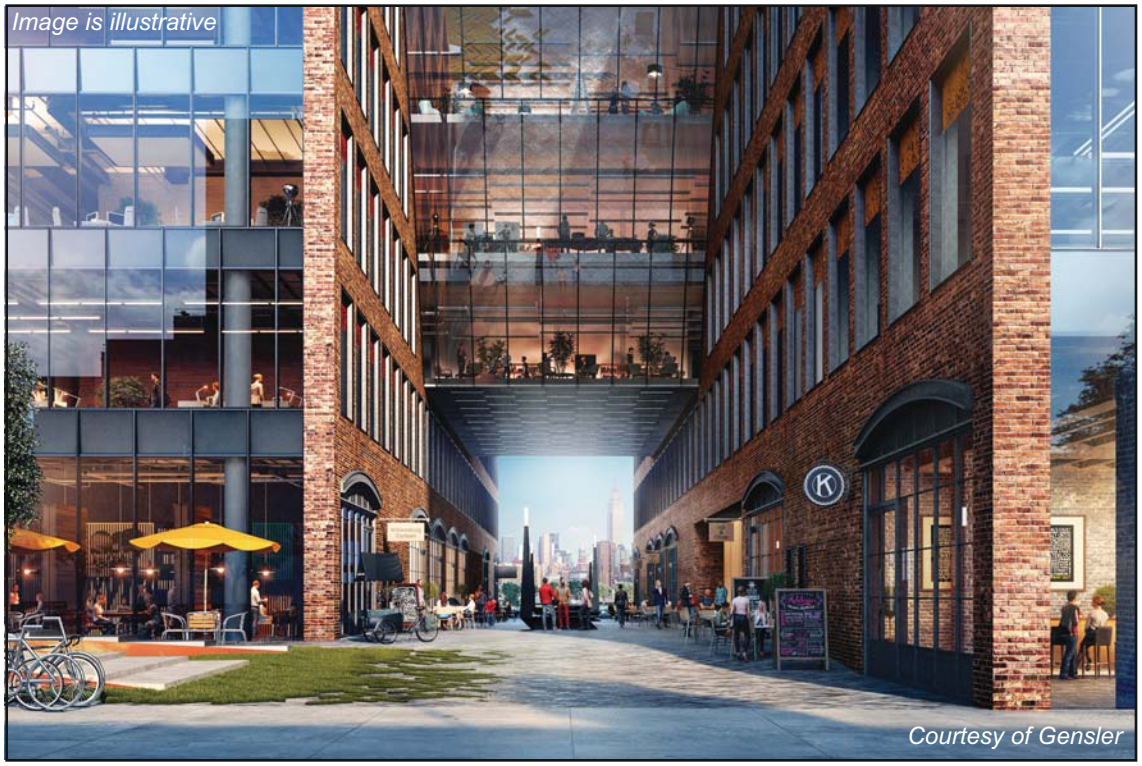
4. With-Action Condition: View north of proposed project from Wythe Avenue.





5. Existing Condition: View northwest of proposed development site.

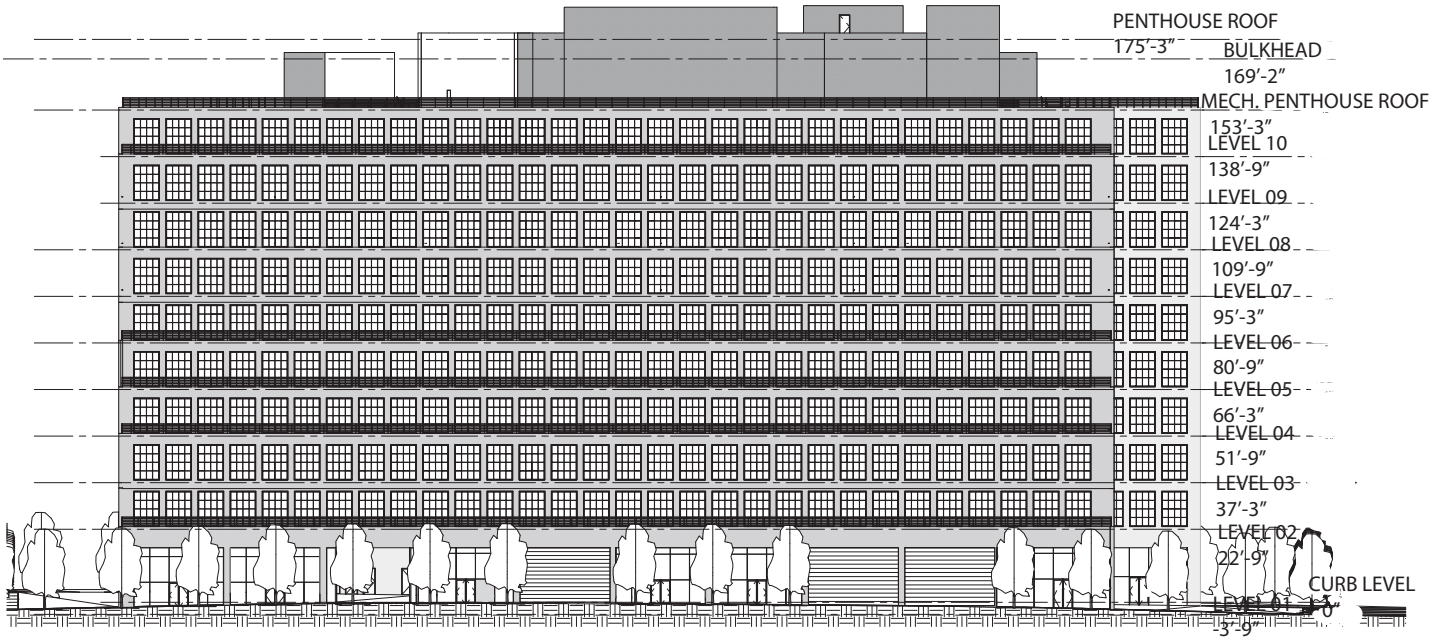
6. With-Action Condition: View northwest of proposed project.



7. With-Action Condition: View of pedestrian pathway between Wythe and Kent Avenues.

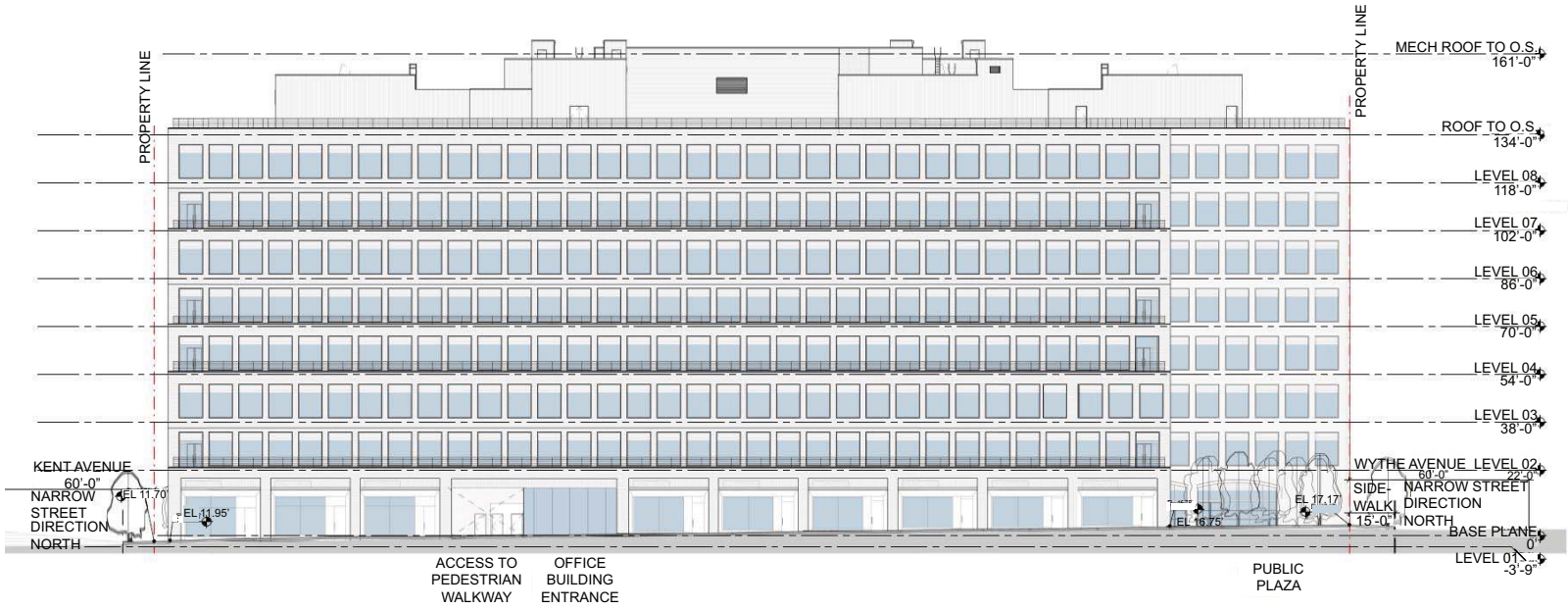
8. With-Action Condition: View of proposed project's public open areas.

No-Action vs. With-Action Elevations



N. 13th Street Elevation

No-Action Condition



N. 13th Street Elevation

With-Action Condition

*FOR ILLUSTRATIVE PURPOSES ONLY

Source: Gensler Architects

throughout the neighborhood, and would be stepped back from North 12th and North 13th Streets. In contrast, the Kent and Wythe Avenue frontages would be clad in glass, connecting the building's interior spaces to adjacent blocks.

As per the proposed special permit requirements, the With-Action building's street walls would be located on the street line on North 12th and North 13th Streets, rising to a maximum base height of 55 feet before a 10-foot setback (refer to **Figure E-6**). Portions of the Kent and Wythe Avenue facades, the short ends of the block frontage, would be set back from the street line to accommodate open areas. These facades would rise without setback to the maximum building height of 135 feet. As the proposed height would be consistent with recent hotel developments in the area, the proposed height would not be atypical and would not be an impact to the area. Additionally, ground-floor level street walls and ground-floor level walls fronting the open areas would be glazed with transparent materials. The proposed building facades, while changed as compared to No-Action conditions, would be modern, yet the materials used and overall design would be consistent with the existing manufacturing character of the area. Therefore, the proposed design would be in keeping with its environment.

The proposed building would have a private rooftop garden and a central, public pedestrian passageway linking Kent and Wythe Avenues (refer to **Figure E-6**). Access to the building's commercial and light industrial uses will be from this pedestrian passageway, as well as from North 12th and North 13th Streets. Per the proposed special permit requirements, all sidewalks surrounding the Proposed Development Site would be at least 15 feet in width. New street trees would be provided in the pedestrian passageway as well as on the sidewalks surrounding the Proposed Development Site, as shown in **Figure E-6**. Additionally, the approximately 14,328 sf of publicly-accessible open areas around the proposed building would be landscaped. The street trees, landscaped open areas, and ground-floor retail spaces glazed with transparent materials would create active, continuous street walls and sidewalks around the proposed building, helping to enhance the pedestrian experience in the area.

As shown in **Figures E-5** and **E-6**, and as indicated above, the proposed No-Action and With-Action buildings would have generally the same bulk. However, the With-Action development would meet the site design, envelope, and urban design requirements of the proposed special permits. As a result, the With-Action building would be two stories (approximately 18 feet) shorter than the anticipated No-Action building. The With-Action building would have more lot coverage and would have street frontages at the southwest corner of North 13th Street and Wythe Avenue, and at the northeast corner of North 12th Street and Kent Avenue, providing more continuous street walls with ground-floor retail spaces. The With-Action building would only provide access to its below-grade parking garage from North 13th Street, allowing for more active ground-floor uses and pedestrian entrances along North 12th Street.

The Proposed Action would not alter any street patterns, street hierarchies, block forms, or arrangements in the area as the Industrial Business Incentive Area would be limited to the Proposed Development Site. As discussed above, the Proposed Action would alter building use and bulk regulations only within the Proposed Development Site (Industrial Business Incentive Area), requiring additional urban design guidelines to accommodate increased densities of appropriate land uses in Williamsburg's Northside neighborhood (refer to **Attachment A** for more details). As such, the proposed future development pursuant to the Proposed Action would not be out of scale with the surrounding neighborhood's existing and anticipated future building fabric. Additionally, the Proposed Action would facilitate the construction of a new building that would be in keeping with the increasing demand for commercial office space in the area, while providing much-needed local retail space for the increasingly mixed-use neighborhood. As such, the Proposed Action is not anticipated to result in any significant adverse impacts to urban design, but rather is expected to complement and improve the urban design of the area.

400-Foot Study Area

The Proposed Action would not alter any street patterns, street hierarchies, block forms, or arrangements in the 400-foot study area. As such, the Proposed Action is not anticipated to result in any significant adverse impacts to urban design in the 400-foot study area, but rather is expected to complement and improve the urban design of the area.

Visual Resources

Primary Study Area

As discussed above, the Proposed Development Site does not contain any visual resources, and this condition is not expected to change in the future with the Proposed Action. Under With-Action conditions, the building on the Proposed Development Site would be approximately 18 feet (two stories) shorter than under No-Action conditions. As such, the anticipated With-Action building on the Proposed Development Site would not negatively alter views in the study area from adjacent publicly-accessible locations, such as sidewalks, in comparison to No-Action conditions. The anticipated 135-foot tall building (excluding rooftop mechanical equipment) on the Proposed Development Site would likely be visible from McCarren Park. However, the new building would not be taller than the adjacent 22-story hotel at 55 Wythe Avenue, and would therefore not create any significant adverse visual impacts.

Additionally, anticipated With-Action development on the Proposed Development Site would not block any view corridors of significant visual resources in the study area, as all new development would occur on an existing block. As under No-Action conditions, views of the Manhattan skyline, East River, and McCarren Park from sidewalks in the and within the 400-foot study area would not be obstructed. The proposed building is expected to further define view corridors by creating solid streetwalls along North 12th and 13th Streets. Therefore, the Proposed Action would not result in any significant adverse impacts on visual resources related to the Proposed Development.

400-Foot Study Area

No changes to visual resources are anticipated in the 400-foot study area as a result of the Proposed Action. As noted above, views of the Manhattan skyline, East River, and McCarren Park from sidewalks in the 400-foot study area would not be obstructed.

Attachment F

Water and Sewer Infrastructure

I. INTRODUCTION

As defined in the *City Environmental Quality Review* (CEQR) *Technical Manual*, infrastructure comprises the physical systems that support populations and includes structures such as water mains and sewers, bridges and tunnels, roadways, and electrical substations. These structures are static and thus have defined capabilities that may be affected by growth in a particular area.

The proposed project involves a zoning text amendment and special permits. The requested approvals would facilitate the development of an approximately 485,156 gross square foot (gsf) predominantly commercial building, including commercial office, local retail and light industrial/manufacturing uses, on one block in the Williamsburg Northside neighborhood of Brooklyn. This attachment provides an evaluation of the potential effect of the Proposed Development on the City's water and sewer infrastructure. Other City infrastructure identified in the *CEQR Technical Manual*, including the transportation network and public transportation systems, are discussed in separate attachments of this Environmental Assessment Statement (EAS). Included is a description of the existing infrastructure in the study area, as well as changes to water and sewer infrastructure conditions that would occur in the 2018 future with and without the proposed project.

II. PRINCIPAL CONCLUSIONS

The Proposed Actions would not result in significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure. The Proposed Development is expected to generate approximately 53,074 gallons per day (gpd) of sanitary sewage, an increase of 13,981 gpd over the No-Action building. This incremental increase in sewage generation is less than 0.01 percent of the average daily flow at the Newtown Creek Water Pollution Control Plant (WPCP) and would not result in an exceedance of the plant's permitted capacity. Therefore, the proposed action would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

Depending on the rainfall volume and duration, the total With-Action volume to the combined sewer system could be between 0.01 and 0.16 mgd. Compared to existing conditions, this would represent an increase in combined sewer flows of 0.01 to 0.14 mgd, depending on rainfall intensities. With the incorporation of selected stormwater source control best management practices (BMPs) that would be required as part of the site connection approval process, subject to the review and approval of the New York City Department of Environmental Protection (DEP), the peaks stormwater runoff rates would be reduced. Overall, the proposed project would not result in significant adverse impacts on the City's sewage conveyance and treatment systems.

III. METHODOLOGY

This analysis follows the methodologies set forth in the *CEQR Technical Manual*. Pursuant to CEQR, a preliminary water analysis is needed if a project would result in an exceptionally large demand of water (over 1,000,000 gpd) or is located in an area that experiences low water pressure. The Proposed Development Site is located in the Williamsburg neighborhood of Brooklyn and is not located in an area that experiences low water pressure (i.e., it is not located at the end of the water supply distribution

system, such as the Rockaway Peninsula or Coney Island). The Proposed Development would generate an incremental water demand of 22,070 gpd (including water related to sanitary and domestic uses) compared with the No-Action conditions. While this would represent an increase in demand on the New York City water supply system, it does not meet the *CEQR Technical Manual* threshold requiring a detailed analysis. Therefore, an analysis of water supply is not warranted since it is expected that there would be adequate water service to meet the incremental water demand and there would be no significant adverse impacts on the City's water supply.

A preliminary sewer analysis is warranted if a project site comprises more than five acres and would result in an increase of impervious surfaces on the site, or if a project is located in a combined sewer area and would result in the incremental development of at least 400 residential units or 150,000 sf or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens or at least 1,000 residential units or 250,000 sf or more of commercial space in Manhattan. As the Proposed Development Site is located in a combined sewer area in Brooklyn and the Proposed Development would exceed the CEQR commercial sf threshold, a preliminary sewer analysis was conducted.

Existing and future sanitary sewage generation is calculated based on use generation rates set forth in Table 13-2 of the *CEQR Technical Manual*. The DEP Volume Calculation Matrix is then used to calculate the overall combined sanitary sewage and stormwater runoff volume discharged to the combined sewer systems for four rainfall volume scenarios with varying durations. Stormwater runoff volumes are determined by estimating the amount of pervious and impervious surfaces on the project site. The ability of the City's water and sewer infrastructure to handle the estimated demand/generation that is anticipated from the Proposed Development is assessed by estimating existing, No-Action, and With-Action water demand and sewage generation. Future With-Action water demand and wastewater generation is compared to the No-Action condition, and future With-Action combined stormwater runoff and wastewater generation volumes are compared to existing conditions.

IV. EXISTING CONDITIONS

Conveyance System

The majority of New York City's wastewater treatment system is comprised of the sewer network beneath the streets and the fourteen WPCPs located throughout the City. The majority of New York City's sewers are called combined sewers as they received sanitary wastewater and stormwater runoff. Wastewater generated in a "drainage basin" (the area served by a WPCP) is conveyed through a network of combined sewers to the WPCP. As noted above, the project site is served by combined sewers that collect both sanitary sewage and stormwater. The project site is located within the drainage basin for the Newtown Creek WPCP, located at 320 Freeman Street in Greenpoint, Brooklyn, which is the largest wastewater treatment facility in the City.

Collection sewers can be one to two feet in diameter on side streets, and three or four feet in diameter under larger roadways, which connect to trunk sewers, generally five to seven feet in diameter. During dry weather, regulators built into the combined sewer system direct flows to interceptor sewers leading to the WPCPs. These large interceptor sewers (often up to ten or twelve feet in diameter) bring the wastewater to the WPCPs for treatment. The Newtown Creek WPCP is fed by two interceptor sewers, one in Kent Avenue and the other in Morgan Avenue. Wastewater generated at the project site flows via the Kent Avenue interceptor into the City's sewer system and to the Newtown Creek WPCP.

In the vicinity of the project site, there is an 18-inch combined sewer and a 96-inch by 90-inch interceptor sewer under Kent Avenue, two 134-inch by 96-inch combined sewers under North 12th Street, and a 97-

inch by 84-inch combined sewer under Wythe Avenue. The combined sewers flow to a regulator at the intersection of North 12th Street and Kent Avenue, which direct flows to the Kent Avenue interceptor sewer, leading to the Newtown Creek WPCP.

At the Newtown Creek WPCP, wastewater is fully treated by physical and biological process before it is discharged into the East River. The quality of the treated wastewater (effluent) is regulated by a State Pollutant Discharge Elimination System (SPDES) permit issued by the New York State Department of Environmental Conservation (NYSDEC), which establishes limits for effluent parameters (i.e., suspended solids, fecal coliform bacteria, and other pollutants). Since the volume of flow to a WPCP affects the level of treatment a plant can provide, the maximum permitted capacity for the Newtown Creek WPCP is 210 million gallons per day (mgd). The average daily flows to the WPCP for the 12-month period ending in June 2014 was 215 mgd, which is well below the maximum permitted capacity of 310 mgd.

During and immediately after wet weather events, combined sewers can experience a much large flow due to stromwater runoff collection. Stormwater runoff from impermeable surfaces is collected by catch basins along the street and conveyed by the City's combined sewer system to the Newtown Creek WPCP. During storm events, the regulators built into the system allow only twice the dry weather design flow into interceptor sewers, and any excess flow is directed to outfalls into the local waterway (e.g., the East River, etc.) as combined sewer overflow (CSO). In the vicinity of the project site, there are several CSO outfalls discharging into the East River. Most proximate to the project site, a CSO outfall is located on the western terminus of North 12th Street. During storm events, excess flow from the combined sewers serving the project site is directed to this North 12th Street CSO outfall via intercepting force mains.

Sanitary Flows

As described above, the Proposed Development Site does not currently support any active uses, and therefore does not generate any sanitary sewage demand.

Stormwater Flows

The Proposed Development Site has a total area of approximately 80,000 sf. As described in **Attachment A, "Project Description,"** the former industrial buildings on the Proposed Development Site have been demolished, and the site is currently in the early stages of construction for the planned as-of-right development. As such, it is conservatively assumed that the Proposed Development Site is currently comprised entirely of pervious surfaces (softscape), as indicated in **Table F-1**, for an existing runoff coefficient of 0.2.

Table F-1: Existing Surface Types on the Project Site

Surface Type	Roof[1]	Pavement and Walks	Other	Grass and Softscape	Total
Area (%)	0	0	0	100	100
Surface Area (sf)	0	0	0	80,000	80,000
Runoff Coefficient[2]	1.0	0.85	0.85	0.20	0.20

Notes:
[1] Total roof area on site.
[2] Runoff coefficients for each surface type are as per DEP.

For this analysis, standard DEP runoff coefficients were used to calculate the amount of stormwater runoff for various rainfall intensities and durations, with rainfall ranging from 0.00 inches to 2.50 inches over durations of 3.80 to 19.50 hours. **Table F-2** shows the combined stormwater runoff and wastewater generation for the Proposed Development Site under existing conditions. As indicated in the table, the

Proposed Development Site currently generates between 0.00 and 0.02 mgd of stormwater within the Newtown Creek WPCP for the different rainfall intensities.

Table F-2: Existing Combined Stormwater Runoff and Wastewater Generation

Rainfall (inches)	Duration (Hours)	Total Area (Acres)	Runoff Coefficient	Stormwater Runoff (MG)	Sanitary to CSS (MG)[1]	Total (MG)
0.00	3.80	1.84	0.20	0.00	0.0	0.00
0.40	3.80			0.00	0.0	0.00
1.20	11.30			0.01	0.0	0.01
2.50	19.50			0.02	0.0	0.02

Notes:
[1] No sanitary sewage is generated on the project site under existing conditions
MG = million gallons

V. THE FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION)

As described in **Attachment A, "Project Description,"** the Applicant has filed building plans with the DOB for the as-of-right development of the Proposed Development Site (the No-Action development). The No-Action building would total 605,536 gsf, including 36,921 gsf of retail, 237,982 gsf of community facility (medical office) uses, 64,338 gsf of commercial office uses, and 1,100 parking spaces. The No-Action development would occupy the majority of the project site, with portions of the building's Kent and Wythe Avenue facades setback from the street. The No-Action building would rise to ten stories (approximately 153 feet) in height and would feature a central pedestrian passageway (approximately 14,328 sf) connecting Kent and Wythe Avenues.

Sanitary Flows

In the future without the Proposed Development, additional sanitary discharges resulting from the No-Action development on the Proposed Development Site would be directed to the Newtown Creek WPCP. As indicated in **Table F-3**, the No-Action development is expected to generate approximately 39,093 gpd of daily sanitary sewage, with a total water demand of 96,764 gpd. As there is available capacity at the Newtown Creek WPCP for the incremental wastewater flows from the project site, the facility would continue to operate within its current design capacities in the 2018 No-Action condition.

Table F-3: No-Action Water Consumption and Wastewater Generation on the Project Site

Land Use	Rate[1]	Area (sf)	Domestic Water/ Wastewater Generation (gpd)	A/C (gpd)
Community Facility – Medical Office	Domestic: 0.10 gpd/sf A/C: 0.17 gpd/sf	237,982	23,798.2	40,456.9
Commercial Office	Domestic: 0.10 gpd/sf A/C: 0.17 gpd/sf	64,338	6,433.8	10,937.5
Retail	Domestic: 0.24 gpd/sf A/C: 0.17 gpd/sf	36,921	8,861.0	6,276.6
Total Water Consumption			96,764.0	
Total Wastewater Generation			39,093.0	

Notes:
[1] Rates are from the *CEQR Technical Manual,* Table 13-2. Commercial office rate applied to medical office No-Action use.

Stormwater Flows

As noted above, in the future without the Proposed Action, would consist of a new ten-story mixed-use community facility/commercial building would be constructed on the Proposed Development Site. The No-Action building would occupy the majority of the Proposed Development Site (with approximately 63,000 sf of roof area), with the remainder of the Proposed Development Site comprise of pavement and walks. As such, the amount of permeable surfaces on the Proposed Development Site would be reduced from existing conditions, with a resultant increase in the Proposed Development Site's runoff coefficient from 0.2 to 0.97. Therefore, the amount of stormwater flows from the Proposed Development Site would increase in the No-Action condition.

VI. THE FUTURE WITH THE PROPOSED ACTION (WITH-ACTION)

In the 2018 With-Action condition, the Proposed Development Site would be redeveloped with an approximately 485,156 gsf predominantly commercial building. As described in **Attachment A, "Project Description,"** the Proposed Development would be comprised of approximately 278,754 gsf of commercial offices; approximately 70,722 gsf of light industrial uses; approximately 37,347 gsf of ground floor local retail; and approximately 54,005 gsf of parking (275 below-grade parking spaces) and loading (three loading berths). The Proposed Development would rise to a maximum height of eight stories (approximately 135 feet excluding rooftop mechanical equipment) and would feature a 14,328 sf central pedestrian passageway connecting Kent and Wythe Avenues. As under No-Action conditions, the With-Action building would occupy the majority of the Proposed Development Site, with portions of the building's Kent and Wythe Avenue facades would be setback from the street.

Sanitary Flows

As described previously, the Proposed Development Site is located in an area served by combined sewers. In the future with the Proposed Development, wastewater from the Proposed Development Site would continue to be treated by the Newtown Creek WPCP, which has an SPDES-permitted dry weather flow capacity of 310 mgd. As shown in **Table F-4**, the Proposed Development would generate approximately 53,074 gpd of sanitary sewage, with a total water demand of approximately 118,834 gpd. This sanitary sewage generation represents a net increase of approximately 13,981 gpd (0.01 mgd) over the No-Action condition. While this represents an increase in sanitary flows, it is equivalent to less than 0.01 percent of the average daily flow at the Newtown Creek WPCP and would not result in an exceedance of the plant's permitted capacity of 310 mgd. In addition, in accordance with the New York City Plumbing Code (Local Law 33 of 2007), the Proposed Development would be required to utilized low-flow plumbing fixtures, which would reduce sanitary flows to the plant. Therefore, the Proposed Development would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment.

Stormwater Flows

In the future with the Proposed Development, the amount of impervious surface area on the Proposed Development Site would increase over existing conditions, with the vacant lot replaced by an eight-story building comprising the majority of the site. **Table F-5** shows the surface types that are expected on the Proposed Development Site under 2018 With-Action conditions based on site plans for the Proposed Development and the analysis assumptions outlined above. As presented in **Table F-5**, the runoff coefficient for the Proposed Development Site would be 0.97, as compared to 0.2 under existing conditions, in the future with the Proposed Action.

Table F-4: With-Action Water Consumption and Wastewater Generation on the Proposed Development Site

Land Use	Rate[1]	Area (sf)	Domestic Water/ Wastewater Generation (gpd)	A/C (gpd)
Commercial Office	Domestic: 0.10 gpd/sf A/C: 0.17 gpd/sf	278,754	27,875.4	47,388.2
Retail	Domestic: 0.24 gpd/sf A/C: 0.17 gpd/sf	37,347	8,963.3	6,349.0
Light Industrial	Domestic: 0.23 gpd/sf A/C: 0.17 gpd/sf	70,722	16,235.5	12,022.7
Total Water Consumption			118,834.1	
Total Wastewater Generation			53,074.2	

Notes:
[1] Commercial office and retail rates are from the *CEQR Technical Manual*, Table 13-2. Light industrial domestic rate is based on the 2005 *Greenpoint-Williamsburg Rezoning FEIS*, which indicated a rate of 10,00 gpd/acre (the equivalent of 0.23 gpd/sf) for industrial uses in M1 districts.

Table F-5: With-Action Surface Types on the Proposed Development Site

Surface Type	Roof[1]	Pavement and Walks	Other	Grass and Softscape	Total
Area (%)	80	20	0	0	100
Surface Area (sf)	64,106	15,894	0	0	80,000
Runoff Coefficient[2]	1.0	0.82	0.85	0.2	0.97

Notes:
[1] Total roof area on site.
[2] Runoff coefficients for each surface type are as per DEP.

Table F-6 compares the estimated combined flows (stormwater runoff and sanitary flows) to the combined sewer system under existing and With-Action conditions using the DEP Flow Volume Calculation Matrix. As shown in the table, depending on the rainfall volume and duration, the total With-Action volume to the combined sewer system could be between 0.01 and 0.16 mgd. Compared to existing conditions, this would represent an increase in combined sewer flows of 0.01 to 0.14 mgd, depending on rainfall intensities.

Table F-6: Existing and With-Action Combined Stormwater Runoff and Wastewater Generation

		Existing Conditions			With-Action Condition			
Rainfall (inches)	Duration (Hours)	Stormwater Runoff (MG)	Sanitary to CSS (MG)	Total (MG)	Stormwater Runoff (MG)	Sanitary to CSS (MG)	Total (MG)	Increased Total Volume to CSS (MG)
0.00	3.80	0.00	0.0	0.00	0.00	0.01	0.01	0.01
0.40	3.80	0.00	0.0	0.00	0.02	0.01	0.03	0.03
1.20	11.30	0.01	0.0	0.01	0.06	0.03	0.09	0.08
2.50	19.50	0.02	0.0	0.02	0.12	0.04	0.16	0.14

Notes:
MG = million gallons

The Flow Volume Matrix calculations do not reflect the use of any sanitary and stormwater source control BMPs to reduce sanitary flow and stormwater runoff volumes to the combined sewer system. As noted above, the Proposed Development would incorporate low-flow plumbing fixtures to reduce sanitary flow in accordance with the New York City Plumbing Code. In addition, stormwater BMPs would be required

as part of the DEP site connection approval process in order to bring the building into compliance with the required stormwater release rate. Based on the DEP Guidelines for the Design and Detention Facility Design, dated June 6, 2012, for new developments, the required stormwater release rate for the proposed project is required to be 0.25 cubic feet per second (cfs) or ten percent of the allowable flow. Specific BMP methods will be determined with further refinement of the building design and in consultation with DEP.

The incorporation of the appropriate sanitary flow and stormwater source control BMPs that would be required as part of the site connection approval process, with the review and approval of DEP, would reduce the overall volume of sanitary sewer discharge and stormwater runoff as well as the peak stormwater runoff rate from the project site. Sewer conveyance near the Proposed Development Site and the treatment capacity at the Newtown Creek WPCP is sufficient to handle wastewater flow resulting from the Proposed Development. Therefore, there would be no significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure.

Attachment G

Air Quality Analysis

I. INTRODUCTION

The Proposed Action would facilitate the development of an 8-story (approximately 135 foot tall excluding mechanical bulkheads) commercial/manufacturing building with approximately 485,156 gross square feet (gsf) at 25 Kent Avenue in Brooklyn. This new building will include 70,722 gsf of Required Industrial Uses, which could contain space for a variety of light manufacturing and/or industrial uses; 278,754 gsf of commercial office space; 37,347 gsf of local retail; 30,000 gsf of mechanical/tenant storage/amenity space; and 54,005 gsf of parking and loading space.

The number and types of light manufacturing and/or industrial uses that would operate within the building are not currently known, and these uses could vary to accommodate market demand. These uses, however, could include, but are not limited, to the following operations: assembly, disassembly, fabricating, finishing, packaging, repairing or processing of materials, jewelry manufacturing, cleaning and polishing, baking operations, printing, plating, commercial laundry, building maintenance shops, and metal work.

These types of manufacturing operations could emit toxic air pollutants into the atmosphere and impact nearby sensitive land uses, such as existing and future hotels. While some of the operations undertaken by building tenants are not likely to be associated with any measurable amount of emissions, others, such as jewelry manufacturing, digital printing, and baking operations can be a significant source of air emissions.

In addition, the heating, ventilation, and air conditioning (HVAC) system of the proposed manufacturing building could also impact nearby sensitive land uses.

II. ANALYSES CONDUCTED

In accordance with New York City Environmental Quality Review (CEQR) guidance, analyses were conducted to conservatively assess whether the potential impacts of these toxic air emissions, as well as the potential impacts of the emissions from the HVAC units of the proposed predominantly commercial office building, on nearby existing and future sensitive land uses would be significant.

Mobile Source Screening

According to the CEQR Technical Manual, projects—whether site-specific or generic—may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants (e.g., diesel trains, helicopters, boats), or add new uses near mobile sources (e.g., roadways, garages, parking lots). The following project types may result in significant adverse air quality impacts from mobile sources and therefore require further analyses, which may include microscale analyses of mobile sources:

- Projects that would result in placement of operable windows (i.e., windows that may be opened and closed by the tenant), balconies, air intakes, or intake vents generally within 200 feet of an atypical (e.g., not at-grade) source of vehicular pollutants, such as a highway or bridge with a total of more than two lanes.

- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.
- Projects that would generate peak hour auto traffic or divert existing peak hour traffic, resulting in 170 or more auto trips.
- Projects that would generate peak hour heavy-duty diesel vehicle traffic or its equivalent in vehicular emissions, resulting in the following:
    - 12 or more heavy duty diesel vehicles (HDDV) for paved roads with average daily traffic fewer than 5,000 vehicles;
    - 19 or more HDDV for collector roads;
    - 23 or more HDDV for principal and minor arterials; or
    - 23 or more HDDV for expressways and limited access roads.
- Projects that would result in new sensitive uses (particularly schools, hospitals, parks, and residences) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications to the City Planning Commission requesting the grant of a special permit or authorization for parking facilities. Consultation with the lead agency regarding whether an air quality analysis of parking facilities is necessary is recommended.
- Projects that would result in a sizable number of other mobile sources of pollution, such as a heliport, new railroad terminal, or trucking.
- Projects that would substantially increase the vehicle miles traveled in a large area (a borough, the city, or larger) may require mesoscale analyses.

As the Proposed Project would not result in any of the conditions described above, a mobile source screening was not warranted.

III. AIR TOXICS ANALYSIS

Development Scenario Considered

Because neither the number or types of manufacturing operations uses are currently known (and these operations could change to accommodate future market demand), the light industries and manufacturing uses that would likely be accommodated within the proposed building were assumed for these analyses, based on allowable zoning and similar activities in the study area, to be as follows:

- Jewelry manufacturing (including gold precipitation), cleaning, polishing and plating;
- Digital printing, photocopying, and commercial art and graphic design; and
- Baking bread and cookies/pastries.

To conservatively estimate the potential air quality impacts from the toxic air emissions of these types of operations, a reasonable worst-case scenario was developed that assumed that ten (10) of the following types of industrial/manufacturing facilities would operate simultaneously within the proposed building: jewelry manufacturing (cleaning, polishing, and plating), printing, photocopying, graphic design, and light baking. This assumes that one entire floor would be dedicated to Required Industrial Uses, with the balance of the Required Industrial Uses on another floor. This also reflects the special permit requirement that a minimum of 5,000 sf of contiguous area must be provided.

Emission Rates/Emission Factors

Information on the types and emission rates of the pollutants associated with the selected operations was obtained from previously certified CEQR environmental assessments and current New York City Department of Environmental Protection (NYCDEP) permits.

Data was collected from fifteen (15) NYCDEP permits for applicable industrial facilities, and twenty eight (28) individual pollutants were considered in the analysis (see **Table G-1**).

The facilities considered in the analysis, estimated pollutant emission rates, and short-term and annual concentration ratios with downwash effect are provided in **Table G-1** (for non-carcinogenic pollutants) and **Table G-2** (for carcinogenic pollutants and **Table G-3** for baking Operations in comparison to the CEQR significant impact criteria. (Results with stack set-backs at different distances with and without downwash effect are provided in the backup documentation for this proposed action).

Health Risk Assessment Methodology

Toxic air pollutants can be grouped into two categories: carcinogenic air pollutants, and non-carcinogenic air pollutants. These include hundreds of pollutants, ranging from high to low toxicity. While no federal standards have been promulgated for toxic air pollutants, the EPA and the New York State Department of Environmental Conservation (NYSDEC) have issued guidelines that establish acceptable ambient levels for these pollutants based on human exposure criteria.

In order to evaluate short-term and annual impacts of non-carcinogenic toxic air pollutants, the NYSDEC has established short-term ambient guideline concentrations (SGCs) and ambient annual-average-based guideline concentrations (AGCs) for exposure limits. These are maximum allowable 1-hour and annual guideline concentrations, respectively, that are considered acceptable concentrations below which there should be no adverse effects on the health of the general public. Guideline concentrations are contained in the NYSDEC DAR-1 database and were solely used in the analysis.

Based on SGCs and AGCs, EPA has developed methodologies that can be used to estimate the potential impacts of air toxic pollutants from single or multiple emission sources. The "Hazard Index Approach" can be used to estimate the potential impacts of non-carcinogenic pollutants. If the sum of the combined ratios of estimated pollutant concentrations divided by the respective SGCs or AGCs value for each of the toxic pollutants is found to be less than 1, no significant air quality impact is predicted to occur.

For carcinogenic pollutants, unit risk factors based on the toxicity of each pollutant are used. EPA and NYSDEC does not consider an overall incremental cancer risk from a proposed action of less than one-in-one million to be significant. Using these factors, the potential cancer risk associated with each carcinogenic pollutant, as well as the total cancer risk of the releases of all of the carcinogenic toxic pollutants combined, can be estimated. If the total incremental cancer risk of all of the carcinogenic toxic pollutants combined is less than one-in-a million, no significant air quality impacts are predicted to occur due to these pollutant releases.

The derived health risk values are additive and can be used to determine the total risk posed by the release of multiple air contaminants.

Non-Carcinogens

Health risk estimates for inhalation of non-carcinogenic compounds are based on the following calculation:

Hazard Index = C/SGC or C/AGC

Where:

Hazard Index = ratio of estimated pollutant concentration divided by the respective SGC or AGC;

C = short-term (1-hour) or annual ambient air concentration of compound in $\mu g/m^3$; and

SCG or AGCs = NYSDEC short-term or annual ambient guideline concentration, in $\mu g/m^3$.

Once the hazard index of each compound is established, they are summed together. If the total hazard index is less than or equal to one, then the non-carcinogenic risk is considered to be insignificant.

Carcinogens

Individual lifetime cancer risk through direct inhalation of carcinogen is estimated by multiplying annual ambient air concentration of specific pollutant (estimated by the dispersion model, $\mu g/m^3$) by the compound-specific inhalation unit risk factor in $(\mu g/m^3)^{-1}$. But because DAR-1 annual guideline values are compiled on one-per-million base, the unit risk factors are already incorporated in these values. As such, annual pollutant concentration should be divided by the AGC and ratio compared to the one-per-million cancer threshold.

Industrial Facilities and Pollutants Considered

Two factors are most critical in estimating the potential impacts of the air toxic emissions -- pollutant toxicities and emission rates. Even with the potential release of highly toxic pollutants from the operations of jewelry manufacturing and printing/plating, significant impacts may not occur if the pollutants are emitted in small quantities. Given the types of light industries that might operate within the proposed building, the potential for significant impacts are unlikely. Similarly, it is unlikely that the large quantities of pollutants released from the painting and cleaning of cabinetry in woodworking operations would cause significant impacts because most of the solvents associated with these operations have low toxicity (i.e., have less stringent SCGs and AGCs), and often result in concentration ratios that are orders of magnitude less than guideline values. For instance, the most widely-used solvents, which are methyl ethyl ketone, xylene, and toluene, have relatively high (non-toxic) SGC values. In addition, some facilities could include emission control measures to ensure compliance with applicable guideline values and/or standards.

Emissions from the selected ten manufacturing operations include both carcinogenic and non-carcinogenic pollutants. The most toxic non-carcinogenic pollutants (i.e., those with the strictest guideline values) are sodium cyanide (AGC=4 ug/m^3), hydrogen cyanide (AGC=1 ug/m^3), zinc chloride (AGC=2 ug/m^3), copper cyanide (AGC=3.5 ug/m^3), sulfuric acid (AGC=1 ug/m^3), lead oxide (AGC=0.044 ug/m^3), zinc oxide (AGC=4.8 ug/m^3), and tin oxide (AGC=6 ug/m^3). For carcinogens, the most toxic pollutant is dichloromethane.

However, the pollutant most likely to significantly impact nearby sensitive land uses is $PM_{2.5}$. This is because this pollutant is emitted from almost all of the industrial sources under consideration. Sources which could emit substantial amounts of particulates include baking operations that are associated with the use of large quantities of natural gas to provide heat to the process equipment (like tunnel ovens). However, tunnel ovens are unlikely in the proposed building due to length of the ovens (more than 30 feet) that would have to be accommodated. Therefore, only light baking operations were assumed to be operating within the proposed building.

Although USEPA has established National Ambient Air Quality Standards (NAAQS) for $PM_{2.5}$ and nitrogen dioxide (NO_2), NYSDEC policy regarding toxic pollutant evaluation is to also consider these pollutants as toxic pollutants with applicable NAAQS values. The annual AGC for $PM_{2.5}$ is 12 ug/m^3 (the same as annual NAAQS) and the 1-hour NO_2 SGC is 188 ug/m^3 (the same as 1-hour NO_2 NAAQS). When particulates are considered as $PM_{2.5}$, the SGC is 88 ug/m^3.

In addition to the 1-hour guideline value, the NYCDEP and New York City Department of City Planning (NYCDCP) policy, under *CEQR*, requires that $PM_{2.5}$ also be considered on a 24-hour basis using a significant incremental impact criterion. This criterion, which is determined based on the $PM_{2.5}$ background concentration for Brooklyn, is currently 6.5 ug/m^3.

Particulate emissions from baking operations were considered as $PM_{2.5}$ emissions.

Dispersion Analysis

A dispersion modeling analysis was conducted to estimate the potential impacts from the toxic emissions that would be released from the proposed building under the reasonable development scenario considered. The latest version of EPA's AERMOD dispersion model 7.10.1 (EPA version 15181) was used for this analysis. In accordance with *CEQR* guidance, this analysis was conducted assuming stack tip downwash, urban dispersion surface roughness length, elimination of calms, with and without downwash effect on plume dispersion. AERMOD's Plume Volume Molar Ratio Method (PVMRM) module was utilized for the 1-hour NO_2 analysis -- to account for NOx to NO_2 conversion.

In accordance with *CEQR TM* direction, analyses were conducted both without the effects of wind flow around the proposed buildings (i.e., without downwash) and with the effects of downwash -- utilizing AERMOD's Building Profile Input Program (BPIP) algorithm.

Results with and without downwash are significantly different -- mostly because the physical presence of both the proposed 135-foot tall manufacturing building and the 250-foot tall hotel substantially affects air flows around these building and alters the travel pathways of the air toxic plumes between the exhaust stack and the nearby receptors (windows) of the hotel. With the downwash effects included, concentrations at the same receptor locations are approximately 2 times less than without downwash (i.e., with direct plume impacts that assume that neither building exists).

However, as per NYCDCP guidance, only the highest results, which are without the downwash effects, are reported.

Meteorological Data

All analyses were conducted using the latest five consecutive years of meteorological data (2010-2014). Surface data was obtained from La Guardia Airport and upper air data was obtained from Brookhaven station, New York. The data were processed by Trinity Consultants, Inc. using the current EPA AERMET and EPA procedures. These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Five years of meteorological data were concatenated into single multiyear file to conduct 24-hour $PM_{2.5}$ analysis.

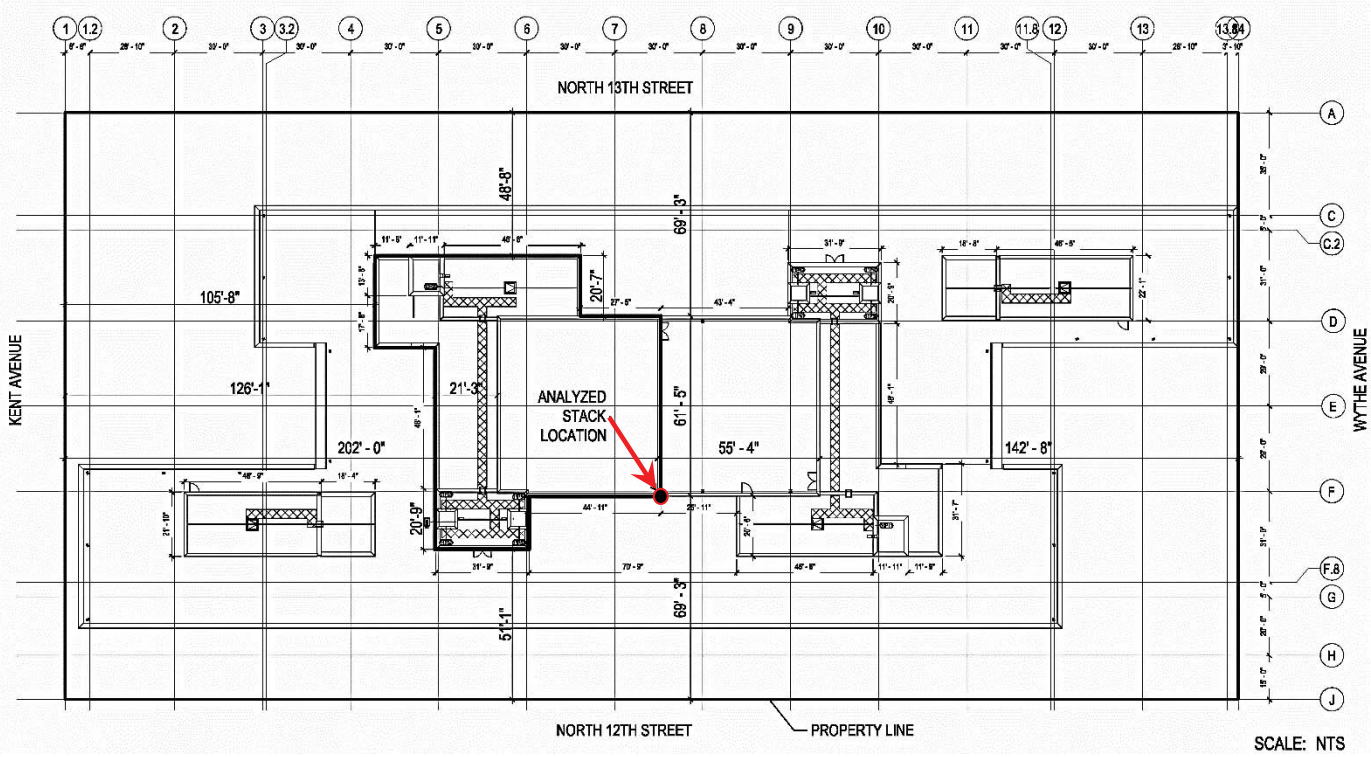
Stack Location

Based on current design, a worst-case scenario was developed for analysis that put the stack(s) at a minimum distance from both North 12th Street and Wythe Avenue (see **Figure G-1**). If no exceedances

are found at this location, the stack(s) could be located further to the north or west of this point without causing any violations.

As such, the stack(s) for release of toxic pollutants (as well as for HVAC system) was placed at 198 feet from Wythe Avenue and 69 feet and 3 inches from North 12th Street, which corresponds Universal Transverse Mercator (UTM) coordinates of 588011.6 m E and 4508517.5 m N in Projection Zone 18 of the North American Datum 1983 (NAD83) -- at 150 feet above the ground. These coordinates, which correspond to the south-east corner of the green area shown on **Figure G-1**, represent the minimum distances from both Wythe Avenue and North 12th Street that the stack(s) would be located.

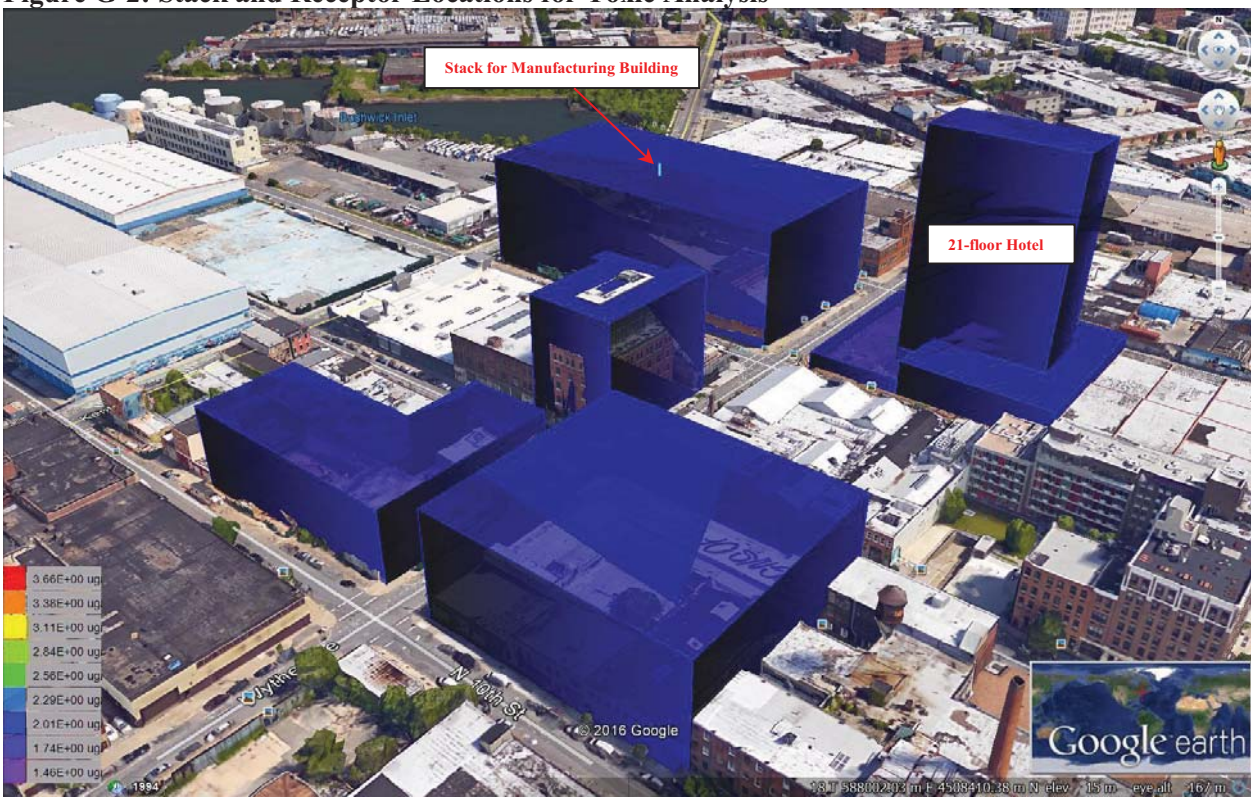
Figure G-1: Proposed Building Roof Plan



Receptor Locations

Figure G-2 shows the proposed stack location and the adjacent receptors. Receptors were placed around the perimeters of three hotel locations south of the project site, starting at the ground floor and extending up to the highest floor of each hotel, in ten foot increments. A total of 4,500 receptors were placed on these hotels to insure that the maximum impacts, wherever they occur, are estimated.

Figure G-2: Stack and Receptor Locations for Toxic Analysis



Results of the Toxic Analysis

Two sets of analyses were conducted – one with the effects of downwash included and one without downwash. However, only the highest results are reported. Results of toxic pollutants analysis are provided in **Tables G-1** thru **G-4**.

G-1: Industrial Facilities, Emission Rates and Estimated Maximum Short-Term and Annual Concentration Ratios

Type of Business	CAS NUMBER	Pollutant Name	Emission Rates		Hourly	Annual	Estimated 1-hr Conc.	NYSDEC SGC	Hazard Index	Estimated Annual Conc.	NYSDEC AGC	Hazard Index
			lb/hr	lb/year	g/sec	g/sec	ug/m^3	ug/m^3		ug/m^3	ug/m^3	
Commercial Art & Woodworking	00067-63-0	Isopropyl Alcohol	2.48	446	0.31244	0.00641	500.1	98,000	5.10E-03	0.2627	7000	3.75E-05
	00067-64-1	Acetone	4.5	810	0.56693	0.01165	907.5	180,000	5.04E-03	0.4771	30000	1.59E-05
	00071-55-6	Methyl Chloroform	4.8	864	0.60472	0.01243	968.0	9,000	1.08E-01	0.5089	5000	1.02E-04
	00123-86-4	Butyl Acetate	1.8	324	0.22677	0.00466	363.0	95,000	3.82E-03	0.1908	17000	1.12E-05
Jewelry Mfg	01310-73-2	Sodium Hydroxide	0.001	2.08	0.00013	0.00003	0.2	200	1.01E-03	0.0012		
	NY075-02-5	Particulate	0.026	54.1	0.00328	0.00078	5.2	88	5.96E-02	0.0319	12	2.66E-03
Jewelry Plating	00143-33-9	Sodium Cyanide	0.001	1.6	0.00013	0.00002	0.2	380	5.31E-04	0.0009	3.5	2.69E-04
	00544-92-3	Copper Cyanide	0.001	1.6	0.00013	0.00002	0.2	380	5.31E-04	0.0009	3.5	2.69E-04
Jewelry Cleaning	00143-33-9	Sodium Cyanide	0.002	0.5	0.00025	0.00001	0.4	380	1.06E-03	0.0003	3.5	8.41E-05
	00074-90-8	Hydrogen Cyanide	0.002	0.5	0.00025	0.00001	0.4	520	7.76E-04	0.0003	0.8	3.68E-04
	07664-41-7	Ammonia	0.001	0.002	0.00013	0.00000	0.2	2,400	8.40E-05	0.0000	100	1.18E-08
	NY075-02-5	Particulate	0.001	0.002	0.00013	0.00000	0.2	88	2.29E-03	0.0000	12	9.82E-08
Printing	00108-88-3	Toluene	2.12	4.23	0.26708	0.00006	427.5	37,000	1.16E-02	0.0025	5,000	4.98E-07
	01330-20-7	Xylene,M,O&P Mixt	0.06	110	0.00756	0.00158	12.1	22,000	5.50E-04	0.0648	100	6.48E-04
	00111-76-2	Butoxyethanol, 2-	0.07	147	0.00882	0.00211	14.1	14,000	1.01E-03	0.0866	1,600	5.41E-05
Printing	08032-32-4	VM&P Naphtha	0.004	7.97	0.00050	0.00011	0.8			0.0047	900	5.22E-06
	00111-76-2	Butoxyethanol, 2-	0.042	84.04	0.00529	0.00121	8.5	14,000	6.05E-04	0.0495	1,600	3.09E-05
	00056-81-5	Glycerin	0.011	22.41	0.00139	0.00032	2.2			0.0132	240	5.50E-05
	07429-90-5	Aluminum	0.003	34	0.00038	0.00049	0.6			0.0200	2.4	8.34E-03
	01309-37-1	Iron	0.002	25.5	0.00025	0.00037	0.4			0.0150	12	1.25E-03
	07440-50-8	Copper	0.001	3.6	0.00013	0.00005	0.2			0.0021	490	4.33E-06
	07440-66-6	Zinc	0.001	0.27	0.00013	0.00000	0.2			0.0002	45	3.53E-06
Commercial art & Graphic Design Service	NY075-02-5	Particulate	0.068	26	0.00857	0.00037	13.7	88	1.56E-01	0.0153	12	1.28E-03
	00111-76-2	Butoxyethanol, 2-	0.231	480	0.02910	0.00690	46.6	14,000	3.33E-03	0.2827	1,600	1.77E-04
	00067-63-0	Isopropyl Alcohol	0.032	668	0.00403	0.00961	6.5	98,000	6.58E-05	0.3935	7,000	5.62E-05
	00141-78-6	Ethyl Acetate	0.05	104	0.00630	0.00150	10.1			0.0613	3,400	1.80E-05
	00108-88-3	Toluene	0.444	888	0.05594	0.01277	89.5	37,000	2.42E-03	0.5231	5,000	1.05E-04
	00067-64-1	Acetone	0.034	71	0.00428	0.00102	6.9	180,000	3.81E-05	0.0418	30,000	1.39E-06
	00084-74-2	Dibutyl Phthalate	0.02	62	0.00252	0.00089	4.0			0.0365	12	3.04E-03
	00123-86-4	Butyl Acetate	0.3	624	0.03780	0.00897	60.5	95,000	6.37E-04	0.3676	17,000	2.16E-05
	00141-78-6	Ethyl Acetate	0.05	104	0.00630	0.00150	10.1			0.0613	3,400	1.80E-05
Gold Precipitation	00143-33-9	Sodium Cyanide	0.001	2	0.00013	0.00003	0.2	380	5.31E-04	0.0012	3.5	3.37E-04
	01309-60-0	Lead Oxide	0.09	18	0.01134	0.00026	18.1			0.0106	0.044	2.41E-01
	NY075-02-5	Particulate	0.001	0.25	0.00013	0.00000	0.2	88	2.29E-03	0.0001	12	1.23E-05
	10102-44-0	Nitrogen Dioxide	0.019	372	0.00239	0.00535	3.8	188		0.2191	100	2.19E-03
	07697-37-2	Nitric Acid	0.033	64.3	0.00416	0.00092	6.7	86	7.74E-02	0.0378	12	3.15E-03

	07647-01-0	Hydrogen Chloride	0.002	2.25	0.00025	0.00003	0.4	2,100	1.92E-04	0.0013	20	6.63E-05
Baking of Cookies	NY075-02-5	Particulate	0.011	21.1	0.0014	0.00030	2.2	88	2.52E-02	0.0124	12	1.04E-03
	10102-44-0	Nitrogen Dioxide	0.070	134.4	0.0088	0.00193	14.1	188	7.51E-02	0.0792	100	7.92E-04
	00630-08-0	Carbon Monoxide	0.001	1.92	0.0001	0.00003	0.2	14,000	1.44E-05	0.0011		
	00064-17-5	Ethanol	3.750	885	0.4724	0.01273	756.2			0.5213	45,000	1.16E-05
Baking of Pastries/Bread	NY075-02-5	Particulate	0.008	15.4	0.0010	0.00022	1.6	88	1.83E-02	0.0091	12	7.56E-04
	10102-44-0	Nitrogen Dioxide	0.046	88.3	0.0058	0.00127	9.3	188	4.93E-02	0.0520	100	5.20E-04
	00630-08-0	Carbon Monoxide	0.001	1.9	0.0001	0.00003	0.2	14,000	1.44E-05	0.0011		
	00064-17-5	Ethanol	3.750	885	0.4724	0.01273	756.2			0.5213	45,000	1.16E-05
							Total		**6.12E-01**			**2.69E-01**

G-2: Carcinogenic Pollutants Cancer Risk					
Pollutant	**Emission Rate**		**Estimated Conc.**	**NYSDEC AGC**	**Cancer Risk**
	lb/year	**g/sec**	**ug/m^3**	**ug/m^3**	
Dichloromethane CAS 75-09-2	413	5.94E-03	2.43E-01	6.0E+01	4.05E-09
Total Incremental Cancer Risk					4.05E-09

G-3: 24-Hour PM2.5 Impact from Baking Operations

No	Facility	Type of Operations	Pollutant	Emission Rate				Estimated Conc.		CEQR Criteria
				Hourly	Annual	Hourly	Annual	24-hr	Annual	
				lb/hr	lb/year	g/sec	g/sec	ug/m^3	ug/m^3	ug/m^3
1	Falcone's Cookieland LTD	Baking of Cookies	$PM_{2.5}$	0.011	21.1	0.0014	0.00030	1.8412	0.0094	6.5/0.3
2	Falcone's Carmine	Baking of Pastries/Bread	$PM_{2.5}$	0.008	15.4	0.0010	0.00022	1.3391	0.0069	6.5/0.3

G-4: Results of Toxic Emissions Analysis

Scenario	Pollutant	Averaging Time	1-Hour Total Hazard Index	Annual Total Hazard Index	Hazard Index Threshold
Toxic Pollutants	**All**	**1-hour**	**0.612**	**--**	**1**
		Annual	**--**	**0.269**	**1**

IV. HVAC ANALYSIS

Relevant Air Pollutants

The two pollutants associated with natural gas combustion – nitrogen dioxide (NO_2) and particulate matter smaller than 2.5 microns ($PM_{2.5}$) – were considered for analysis.

Applicable Air Quality Standards and Significant Impact Criteria

As required by the Clean Air Act, NAAQS have been established for the criteria pollutants by EPA. The NAAQS are concentrations set for each of the criteria pollutants in order to protect public health and the nation's welfare, and New York has adopted the NAAQS as the State ambient air quality standards. This analysis addressed compliance of the potential impacts with the 1-hour and annual NO_2 NAAQS.

In addition to the NAAQS, the *CEQR TM* requires that projects subject to *CEQR* apply a $PM_{2.5}$ significant impact criteria (based on concentration increments) developed by NYCDEP to determine whether potential adverse $PM_{2.5}$ impacts would be significant. If the estimated impacts of a proposed project are less than these increments, the impacts are not considered to be significant. This analysis addressed compliance of the potential impacts with the 24-hour and annual $PM_{2.5}$ *CEQR* significant incremental impact criteria.

The current standards and CEQR significant impact criteria that were applied to this analysis, together with their health-related averaging periods, are provided in **Table G-5**.

Table G-5: Applicable National Ambient Air Quality Standards and CEQR Threshold Values

Pollutant	Averaging Period	NAAQS	CEQR Threshold
NO_2	1 Hour	0.10 ppm (188 $\mu g/m^3$)	--
	Annual	.053 ppm (100 $\mu g/m^3$)	--
$PM_{2.5}$	24 Hour	35 $\mu g/m^3$	--
	Annual	12 $\mu g/m^3$	--
$PM_{2.5}$	24 Hour	--	6.5
	Annual	--	0.3

NO_2 NAAQS

Nitrogen oxide (NOx) emissions from gas combustion consist predominantly of nitric oxide (NO) at the source. The NOx in these emissions are then gradually converted to NO_2, which is the pollutant of concern, in the atmosphere (in the presence of ozone and sunlight as these emissions travel downwind of a source).

The 1-hour NO_2 NAAQS standard of 0.100 ppm (188 ug/m^3) is the 3-year average of the 98th percentile of daily maximum 1-hour average concentrations in a year. For determining compliance with this standard, the EPA has developed a modeling approach for estimating 1-hour NO_2 concentrations that is comprised of 3 tiers: Tier 1, the most conservative approach, assumes a full (100%) conversion of NOx to NO_2; Tier 2 applies a conservative ambient NOx/NO_2 ratio of 80% to the NOx estimated concentrations; and Tier 3, which is the most precise approach, employs AERMOD's Plume Volume Molar Ratio Method (PVMRM) module. The PVMRM accounts for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations. When Tier 3 is utilized, AERMOD generates 8th highest daily maximum 1-hour NO_2 concentrations or total 1-hour NO_2 concentrations if hourly NO_2 background concentrations are added within the model, and averages these values over the numbers of the years modeled. Total estimated concentrations are generated in the statistical form of the 1-hour NO_2 NAAQS format and can be directly compared with the 1-hour NO_2 NAAQS standard.

Based on NYCDCP guidance, Tier 1, as the most conservative approach, should initially be applied as a preliminary screening tool to determine whether a violation of the NAAQS is likely to occur. If exceedances of the 1-hour NO_2 NAAQS were estimated, the less conservative Tier 3 approach should be applied.

The annual NO_2 standard is 0.053 parts per million (ppm or 100 ug/m^3). In order to conservatively estimate annual NO_2 impacts, a NO_2 to NOx ratio of 0.75 percent, which is recommended by the NYCDEP for an annual NO_2 analysis, was applied.

$PM_{2.5}$ CEQR Significant Impact Criteria

CEQR TM guidance includes the following criteria for evaluating significant adverse $PM_{2.5}$ incremental impacts:

> *Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour $PM_{2.5}$ background concentration and the 24-hour standard.*

The 24-hour $PM_{2.5}$ background concentration of 21.9 ug/m^3 was obtained from Brooklyn JHS-126 monitoring station as the average of the 98th percentile for the latest 3 years of available monitoring data collected by the NYSDEC for 2012-2014. As the applicable background value is 21.9 ug/m^3, half of the difference between the 24-hour $PM_{2.5}$ NAAQS and this background value is 6.5 ug/m^3. As such, a significant impact criteria of 6.5 ug/m^3 was used for determining whether the potential 24-hour $PM_{2.5}$ impacts of the proposed development are considered to be significant.

For annual average adverse $PM_{2.5}$ incremental impact, according to *CEQR* guidance:

> *Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 ug/m^3 at any receptor location for stationary sources.*

The above 24-hour and annual significant impact criteria were used to evaluate the significance of predicted $PM_{2.5}$ impacts.

HVAC Emission Rates

Emission rates were estimated as follows:

- As the proposed building was assumed to be heated by natural gas, emission rates of NOx and $PM_{2.5}$ were calculated based on annual natural gas usage corresponding to the gross floor area of building (gsf), EPA AP-42 emission factors for firing natural gas combustion in small boilers, and gross heating values of natural gas (1,020 Btu per million cubic feet);
- $PM_{2.5}$ emissions from natural gas combustion accounted for both filterable and condensable particulate matter;
- Short-term NO_2 and $PM_{2.5}$ emission rates were estimated by accounting for seasonal variation in heat and hot water demand; and
- The natural gas fuel usage factor 45.2 cubic foot per square foot per year (Table C25, Natural Gas Consumption and Conditional Energy Intensity by Census Region for Non-Mall Buildings, 2003).

Table G-6 provides total pollutant emission rates from the natural gas boiler. The diameter of the stacks and the exhaust exit velocities were estimated based on values obtained from NYCDEP "CA Permit" database for the corresponding boiler sizes (i.e., rated heat input or million BTUs per hour). Boiler size was estimated based on assumption that all fuel would be consumed during the 100 day (or 2,400 hour) heating season. The exit temperature for all of the stacks was assumed to be 300°F (423°K), which is appropriate for boilers.

Table G-6: Estimated Pollutant Emission Rates

Building Type	Block/ Lot	Building Height	Stack Height	Total Floor Area	$PM_{2.5}$ Emission Rate		NO_2 Emission Rate	
		(feet)	(feet)	(gsf)	(g/sec)	(g/sec)	(g/sec)	(g/sec)
					24-hr	Annual	1-hr	Annual
Manufacturing: One Roof-top Stack	2282/1	135	150	485,156	0.00875	0.0024	0.1152	0.0316

Meteorological Data

All analyses were conducted using the latest five consecutive years of meteorological data (2010-2014). Surface data was obtained from La Guardia Airport and upper air data was obtained from Brookhaven station, New York. The data were processed by Trinity Consultants, Inc. using the current EPA AERMET version and EPA procedures. These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period.

Five years of meteorological data were concatenated into single multiyear file to conduct 24-hour $PM_{2.5}$ and 1-hour NO_2 modeling. The $PM_{2.5}$ special procedure which incorporated into AERMOD calculates concentration at each receptor for each year modeled, averages those concentrations across the number of years of data, and then selects the highest across all receptors of the 5-year averaged highest values.

Background Concentrations

For the purpose of conducting the 1-hour NO_2 Tier 3 analysis, if required, hourly NO_2 and hourly ozone background concentrations was developed from available monitoring data collected by the New York State Department of Environmental Conservation (NYSDEC) at the Queens College monitoring station for the 5 consecutive years (2012-2014), and compiled into AERMOD's required hourly emission (NO_2) and concentration (ozone) data format.

The maximum 1-hour NO_2 background concentration of 57.9 ppb or 109 ug/m^3, which is 3-year average of the 98th percentile of daily maximum 1-hour concentrations for 2012-2014, and the annual NO_2 background concentration of 17.25 ppb or 33 ug/m^3, which is the maximum annual average for latest 5 years from Queens College monitoring station, were also used.

Stack and Receptor Locations

The HVAC exhaust stack was placed at the same location as the air toxics exhaust stack -- at 198 feet from Wythe Avenue and 69 feet and 3 inches from North 12th Street -- at UTM coordinates of 588011.6 m E and 4508517.5 m N in Projection Zone 18 of the North American Datum 1983 (NAD83) -- at 150 feet above the ground. The same receptors sites on the surrounding hotels that were used in the air toxics analysis were used for the HVAC analysis.

All modeling parameters used in the analysis are provided in **Table G-7**.

Table G-7: Modeling Parameters

Model	AERMOD (EPA Version 15181)
Source Type	Point Source
Emission Sources and Receptor	UTM NAD83 Datum and UTM Zone 18
Surface Characteristic	Urban Area Option
Urban Surface Roughness Length	1
Downwash effect	BPIP Program
Meteorological Data	Preprocessed by the AERMET meteorological preprocessor program by Trinity Consultants, Inc. Yearly meteorological data for 2010-2014 concatenated into single multiyear file for $PM_{2.5}$ modeling, as EPA recommended
Surface Meteorological Data	LaGuardia 2010-2014
Profile Meteorological Data	Brookhaven Station 2010-2014
Pollutant Background Concentrations	Queens College monitoring station data for 2010-2014
$PM_{2.5}$ Analysis	Special procedure incorporated into AERMOD where model calculates concentration at each receptor for each year modeled, averages those concentrations across the number of years of data, and then selects the highest across all receptors of the N-year averaged highest values

Results

Results of the HVAC analysis are provided in **Table G-8**

Table G-8: Results of the HVAC Analysis

Scenario	Pollutant	Averaging Time Period	Estimated Impact or Concentration.	CEQR Significant Threshold	NAAQS
			ug/m^3	ug/m^3	ug/m^3
HVAC Emissions	$PM_{2.5}$	24-hour	3.93	6.5	35
		Annual	0.11	0.3	12
	NO_2	1-hour	184.7*		188
		Annual	34.1**		100

* Tier 3 includes background concentration added within the model.
Includes NO2 impact of 1.07 ug/m^3 plus background concentration of 33 ug/m^3.

$PM_{2.5}$ Results

The maximum 24-hour $PM_{2.5}$ impact, which was estimated without downwash, on the existing hotel receptors is estimated to be 3.93 ug/m^3 and the maximum annual impact is estimated to be 0.11 ug/m^3. Both values are less than the 24-hour and annual $PM_{2.5}$ significant incremental impact criteria of 6.5 ug/m^3 and 0.3 ug/m^3, respectively. Therefore, no significant air quality impacts on the existing land uses are predicted from the HVAC $PM_{2.5}$ emissions of the proposed development.

NO_2 Results

The result of the 1-hour NO_2 with Tier 3 and PVMRM module is that the 8th highest estimated daily 1-hour NO_2 total concentration, with added NO_2 background concentration within the model, is 184.7 ug/m^3, which is less than the 1-hour NO_2 NAAQS of 188 ug/m^3. The maximum estimated total annual NO_2 concentration (34.1 ug/m^3) is also less than the annual NO_2 NAAQS. Therefore, no significant air quality impacts on the existing land uses are predicted from the HVAC NO_2 emissions of the proposed development.

V. CUMULATIVE AIR TOXICS AND HVAC IMPACTS

In order to estimate the cumulative effects of the emissions that are released from both the HVAC and manufacturing exhaust systems, $PM_{2.5}$ and NO_2 emissions from each system were combined into one emission point and analyzed in one modeling run using the same AERMOD options as those used separately in the HVAC and air toxics analyses.

The one combined emission point was placed at the same location that was used in the HVAC-Air Toxic analysis -- 198 feet from Wythe Avenue and 69 feet and 3 inches from North 12th Street (at the corresponding Universal Transverse Mercator (UTM) coordinates of 588011.6 m E and 4508517.5 m N). However, in order not to converge both stacks in one point and thereby allow the program to run, these stacks were placed 0.3 feet from each other.

Estimated total emission rates of $PM_{2.5}$ and NO_2 from all manufacturing uses used in the modeling analysis are provided in **Table G-9**. $PM_{2.5}$ and NO_2 emission rates from the HVAC system used in this cumulative analysis are the same as those used in the previous HVAC analysis.

Table G-9: Air Toxic Emissions for Cumulative Analysis

Facility Name	Type of Business	Emission Rates		Hourly	Annual
		lb/hr	lb/year	g/sec	g/sec
Particulate Emissions					
J. Botkin & CO Inc	Jewelry Manufacturing	0.026	54.1	0.00328	0.00078
Benkay Jewelry CO, Inc.	Jewelry Cleaning	0.001	0.002	0.00013	0.00000
Creative Comps Inc	Commercial Art & Graphic Design	0.068	26	0.00857	0.00037
SO Accurate Group, Inc	Gold Precipitation	0.001	0.25	0.00013	0.00000
Falcone's Cookieland LTD	Baking of Cookies	0.011	21.1	0.0014	0.00030
Falcone's Carmine	Baking of Pastries/Bread	0.008	15.4	0.0010	0.00022
Total				**0.01449**	**0.00168**
Nitrogen Dioxide Emissions					
So. Accurate Group	Gold Precipitation	0.019	372	0.00239	0.00535
Falcone Cookieland	Baking of Cookies	0.070	134.4	0.0088	0.00193
Falcone Carmine	Baking of Pastries/Bread	0.046	88.3	0.0058	0.00127
Total				**0.01701**	**0.00855**

$PM_{2.5}$ Cumulative Analysis

The HVAC emissions were modeled using the previously estimated 24-hour/annual $PM_{2.5}$ emission rates for HVAC system based on assumption that all fuel will be consumed in 100 days (the three coldest months of the year or 2,400 hours) of the winter heating season, with no emissions for the rest of the year. $PM_{2.5}$ emissions from manufacturing uses were modeled assuming that manufacturing uses would operate 12 hours a day/365 days per year.

1-hour NO_2 Cumulative Analysis

NO_2 emissions from manufacturing uses were also modeled assuming that these uses would operate 12 hours a day. A Tier 3 analysis, with the AEMOD PMVRM module, was conducted.

Results

Results of the cumulative analysis are as follows:

- The maximum cumulative 24-hour $PM_{2.5}$ impact is 5.99 ug/m^3, which is less than the CEQR significant 24-hour threshold increment of 6.5 ug/m^3;
- The maximum annual cumulative $PM_{2.5}$ impact is 0.14 ug/m^3, which is less than the CEQR significant annual threshold increment of 0.3 ug/m^3;
- The maximum 1-hour NO_2 total concentration (with background concentration included) is 185.9 ug/m^3, which is less than the 1-hour NO_2 NAAQS of 188 ug/m^3; and
- The maximum annual NO_2 total concentration (with background concentration included) is 34.2 ug/m^3, which is less than the annual NO_2 NAAQS of 100 ug/m3.

The result of the cumulative analysis is that the combined HVAC and manufacturing emissions would not cause significant air quality impacts.

VI. CONCLUSION

The results, which are based on the highest impacts estimated without downwash, are as follows:

- The potential impacts of the air toxics emissions would not be significant with the exhaust stack(s) at the designated location; and
- The potential impacts of the HVAC system, with the use of natural gas, would not be significant with the exhaust stack(s) at the designated location.

With the applicable (E) Designations in place, no significant adverse impacts are anticipated as a result of the proposed project.

VII. (E) DESIGNATIONS

Based on the results of these analyses, the following (E) Designations would be required for the proposed manufacturing/industrial building:

> Any new commercial development on Block 2282, Lot 1 must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water systems. The location of any hot water stacks and one HVAC stack shall be restricted to at least 70 feet from the southerly lot line facing North 12th Street and 198 feet from the easterly lot line facing Wythe Avenue to avoid any potential significant adverse air quality impacts. All HVAC and hot water stacks shall be located at a minimum of 150 feet above grade.
>
> To preclude the potential for significant adverse air quality impacts from any Required Industrial Use developed pursuant to Zoning Resolution Section 74-962, emission stack(s) must be located at least 70 feet from southerly lot line facing North 12th Street and 198 feet from the easterly lot line facing Wythe Avenue and at least 150 feet above grade to avoid any potential significant adverse air quality impacts. Automobile and woodworking related uses are prohibited.

Attachment H

Conceptual Analysis

This entire section has been removed. In response to recommendations from the Community Board and Borough President, as well as comments raised during the public review process, the 14-block special permit area has been reduced to include only the 25 Kent Avenue development site; consequentially, a conceptual analysis is no longer required.

Appendix I

Proposed Zoning Text

PROPOSED SPECIAL PERMIT FOR INDUSTRIAL BUSINESS INCENTIVE AREAS IN CERTAIN MANUFACTURING DISTRICTS

19-25 KENT AVENUE, BROOKLYN
May 18, 2016

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

Article VII
ADMINISTRATION

Chapter 4
Special Permits by the City Planning Commission

*** * ***

74-96
Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas

For #developments# or #enlargements# on #zoning lots# located within any Industrial Business Incentive Area specified in this Section, the City Planning Commission may increase the maximum permitted #floor area ratio# and modify the #use#, #bulk# and #public plaza# regulations as set forth in Section 74-962 **(**Floor area increase and public plaza modifications in Industrial Business Incentive Areas). The Commission may also modify parking and loading requirements for such #developments# or #enlargements# pursuant to Section 74-963 (Parking and loading modifications in Industrial Business Incentive Areas).

For #developments# or #enlargements# receiving a #floor area# increase pursuant to this Section, Section 43-20 (YARD REGULATIONS), inclusive, shall be modified as follows: #rear yard# regulations shall not apply to any #development# or #enlargement# on a #through lot#.

Industrial Business Incentive Areas specified:

Community District 1, Brooklyn: The block bounded by North 12th Street, Kent Avenue, North 13th Street and Wythe Avenue.

74-961
Definitions

For the purposes of Section 74-96 **(**Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas), inclusive, a "required industrial use" and an "incentive use" shall be defined as follows:

Required Industrial Use

A "required industrial use" is a #use# that helps achieve a desirable mix of #commercial# and #manufacturing uses# in an Industrial Business Incentive Area, and that generates additional #floor area# pursuant to provisions set forth in Section 74-962 and is:

listed in Use Groups 11A, 16A excluding "animal hospitals and kennels" and "animal pounds or crematoriums", 16B, 17B and 17C, as specified in Sections 32-20 (Use Group 11), 32-25 (Use Group 16) and 42-14 (Use Group 17); and

"beverages, alcoholic or breweries" as listed in Section 42-15 (Use Group 18A), where permitted by the provisions of the applicable zoning district, provided the applicable performance standards pursuant to Section 42-20 are met.

Incentive Use

An "incentive use" is a #use# permitted by the applicable zoning district, that is allowed to occupy the additional #floor area# generated by a #required industrial use# with the exception of the following #uses#:

#transient hotels# in Use Group 5, as specified in Section 32-14 (Use Group 5);

#uses# in Use Groups 6A or 6C as specified in Section 32-15 (Use Group 6);

#uses# in Use Group 7A as specified in Section 32-16 (Use Group 7);

#uses# in Use Group 8C as specified in Section 32-17 (Use Group 8);

#uses# in Use Group 10A and any retail spaces #accessory# to "wholesale offices or showrooms, with storage restricted to samples" in Use Group 10B as specified in Section 32-19 (Use Group 10);

#uses# as specified in Sections 32-21 (Use Group 12) and 32-22 (Use Group 13); and

moving or storage offices, with no limitation as to storage or #floor area# per establishment, as well as packing or crating establishments and warehouses as specified in Section 32-25 (Use Group 16).

74-962
Floor area increase and public plaza modifications in Industrial Business Incentive Areas

In Industrial Business Incentive Areas, the Commission may increase the maximum #floor area ratio# on a #zoning lot# in accordance with the Table in this Section.

For #developments# or #enlargements# in the district indicated in column (A), the base maximum #floor area ratio# on a #zoning lot# (column (B)) may be increased by 3.5 square feet for each square foot of #required industrial uses# up to the maximum #floor area ratio# for all #uses# on the #zoning lot# (column (E)), provided that such #development# or #enlargement# does not include a #transient hotel#, and that such additional #floor area# is occupied by #required industrial uses# and #incentive uses# up to the maximum #floor area ratio# set forth in column (C) (Maximum Additional #Floor Area Ratio# for #Required Industrial Uses#), and column (D) (Maximum Additional #Floor Area Ratio# for #Incentive Uses#), respectively.

TABLE
FLOOR AREA INCREASE PERMITTED IN
INDUSTRIAL BUSINESS INCENTIVE AREAS

(A) Zoning District	(B) Base Maximum #Floor Area Ratio#	(C) Maximum Additional #Floor Area Ratio# for # Required Industrial Uses#	(D) Maximum Additional #Floor Area Ratio# for #Incentive Uses#	(E) Maximum #Floor Area Ratio# for All #Uses#
M1-2	2.0	0.8	2.0	4.8

For such #developments# or #enlargements# that, pursuant to this Section, increase their permitted #floor area#, and provide a #public plaza#, the Commission may also increase the maximum height of such #development# or #enlargement# and may modify the requirements for #public plazas# set forth in Section 37-70 (PUBLIC PLAZAS).

Applications for such #floor area# increases and modifications are subject to the requirements, conditions and findings set forth in this Section.

(a) Application Requirements

All applications for a special permit pursuant to this Section shall include the following:

(1) site plans and elevations which shall establish distribution of #floor area#, height and #setback#, sidewalk widths, primary business entrances, including parking and loading, #yards# and #public plazas#, signage and lighting;

(2) floor plans of all floors which shall establish the location, access plan and dimensions of freight elevators and loading areas and the location of #floor area# dedicated to # required industrial uses# and #incentive uses#;

(3) drawings that show, within a 600 foot radius, the location and type of #uses#; the location, dimensions and elements of off-site open areas including #streets#, waterfront and #upland# parcels; elements of a Waterfront Access Plan, as applicable; and the location of #street# trees and #street# furniture and any other urban design elements. The plans shall demonstrate that any #public plaza# provided meets the requirements of paragraph (b)(5) of this Section; and

(4) for #zoning lots# in #flood zones#, flood protection plans, which shall show #base flood elevations# and advisory #base flood elevations#, as applicable, location of mechanical equipment, areas for storage of any hazardous materials and proposed structural or design elements intended to mitigate the impacts of flood and storm events.

(b) Conditions

(1) Minimum amount of #required industrial uses#

#Required industrial uses# shall occupy a minimum of 5,000 square feet of horizontally contiguous #floor area# and shall be served by loading areas and freight elevators with sufficient capacity.

(2) Minimum sidewalk width

All #developments# and horizontal #enlargements# that front upon a #street line# shall provide a sidewalk with a minimum width of 15 feet along the entire frontage of the #zoning lot#. Such sidewalk, and any open area on the #zoning lot# required to meet such minimum width shall be improved as a sidewalk to Department of Transportation standards; shall be at the same level as the adjoining public sidewalk; and shall be accessible to the public at all times. For the purposes of applying the #street wall# location requirements and the height and setback regulations of paragraph (b)(3) of this Section, any sidewalk widening line shall be considered to be the #street line#.

(3) Height and setback

The height and setback regulations of the applicable zoning district shall apply as modified by the provisions of this paragraph.

(i) The #street wall# of any #building# shall be located on the #street line# and shall extend to a height not lower than a minimum base height of 40 feet and not higher than a maximum base height of 75 feet or the height of the #building#, whichever is less. At least 70 percent of the aggregate width of such #street wall# below 12 feet shall be located at the #street line# and no less than 70 percent of the aggregate area of the #street wall# up to the base height shall be located at the #street line#. However, up to a width of 130 feet of such #street wall# located on the short end of the #block# may be set back from the #street line# to accommodate a #public plaza#.

(ii) The height of a #building or other structure#, or portion thereof, located within ten feet of a #wide street# or within 15 feet of a #narrow street# shall not exceed a maximum base height of 75 feet. Permitted obstructions as set forth in Section 43-42 shall be modified to include dormers above the maximum base height within the front setback area, provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 50 percent of the #street wall# and a maximum height of 110 feet. Beyond ten feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed a maximum #building# height of 110 feet. All heights shall be measured from the #base plane#. Where a #public plaza# is provided pursuant to paragraph (b)(5) of this Section, such maximum #building# height may be increased to 135 feet.

(iii) Along the short dimension of a #block#, up to 130 feet of such #street wall# may be set back from the #street line# to accommodate a #public plaza#, and a #street wall# located at the #street line# that occupies not more than 40 percent of the short end of the #block# may rise without setback to the maximum #building# height.

(4) Ground floor design

(i) The ground floor level #street walls# and ground floor level walls fronting on a #public plaza# of a #development# or horizontal #enlargement# shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors. Such transparent materials shall occupy at least 50 percent of the surface area of such #street wall#, measured between a height of two feet above the level of the adjoining sidewalk or #public plaza# and a height of 12 feet above the level of the first finished floor above #curb level#. The floor level behind such transparent materials shall not exceed the level of the window sill for a depth of at least four feet, as measured perpendicular to the #street wall#. The ground floor transparency requirements of this paragraph (b)(4)(i) shall not apply to #uses# listed in Use Groups 11, 16, 17 and 18, or to #accessory# loading berths, or garage entrances#; or

(ii) For #zoning lots# within flood hazard areas, in lieu of the requirements of paragraph (b)(4)(i) of this Section, the provisions of Section 64-22 (Transparency Requirements) shall apply; and

(iii) For any #street wall# widths greater than 40 feet in length that do not require glazing as specified in paragraphs (b)(4)(i) or (b)(4)(ii), as applicable, the facade, measured between a height of two feet above the level of the adjoining sidewalk and a height of 12 feet above the level of the first finished floor above #curb level#, shall incorporate design elements, including lighting and wall art, or physical articulation.

(5) #Public plazas#

A #public plaza# shall contain an area of not less than 12 percent of the #lot area# of the #zoning lot# and minimum of at least 2,000 square feet in area. All #public plazas# shall comply with the provisions set forth in Section 37-70, inclusive, except certification requirements of Sections 37-73 (Kiosks and Open Air Cafes) and 37-78 (Compliance) shall not apply.

(6) Signs

(i) In all Industrial Business Incentive Areas, #signs# are subject to the regulations applicable in C6-4 Districts as set forth in Section 32-60, inclusive. Information #signs# provided pursuant to paragraph (b)(6)(ii) of this Section shall not count towards the maximum permitted #surface area# regulations of Section 32-64 (Surface Area and Illumination Provisions), inclusive.

(ii) An information #sign# shall be provided for all #buildings# that are #developed# or #enlarged#. Such required #signs# shall be mounted on an exterior #building# wall adjacent to and no more than five feet from all primary entrance of the #building#. The #sign# shall be placed so that it is directly visible, without any obstruction, to persons entering the building, and at a height no less than four feet and no more than five and a half feet above the adjoining grade. Such #sign# shall be legible, no less than 12 inches by 12 inches in size and shall be fully opaque, non-reflective and constructed of permanent, highly durable materials. The information #sign# shall contain: the name and address of the building in

lettering no less than three-quarters of an inch in height; and the words in lettering no less than one-half of an inch in height, "This building is subject to Industrial Business Incentive Area (IBIA) regulations which require a minimum amount of space to be provided for specific industrial uses." The information #sign# shall include the Internet URL, or other widely accessible means of electronically transmitting and displaying information to the public, where the information required in paragraph (e) of this Section is available to the public.

(c) Findings

In order to grant an increase of the maximum permitted #floor area ratio# and modification of #public plaza# regulations, the Commission shall find that such increase or modification:

(1) will promote a beneficial mix of #required industrial # and #incentive uses#;

(2) will result in superior site planning, harmonious urban design relationships and a safe and enjoyable streetscape;

(3) will result in a #building# that has a better design relationship with surrounding #streets# and adjacent open areas;

(4) will result in a #development# or #enlargement# that will not have an adverse effect on the surrounding neighborhood; and

(5) any modification of the #public plaza# requirements will result in a #public plaza# of equivalent or greater value as a public amenity.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

(d) Recordation

A Notice of Restrictions, the form and content of which shall be satisfactory to the City Planning Commission, for a #building# containing #use# restrictions or #public plaza# requirements, as applicable, pursuant to this Section, shall be recorded against the subject tax lot in the Office of the City Register or, where applicable, in the County Clerk's office in the county where the lot is located.

The filing and recordation of such Notice of Restrictions shall be a precondition to the issuance of any building permit utilizing the provisions set forth in this Section. The recording information shall be referenced on the first certificate of occupancy to be issued after such notice is recorded, as well as all subsequent certificates of occupancy, for as long as the restrictions remain in effect.

(e) Notification

No later than the first day of each quarter of the year, the owner of a #building# subject to #use# restrictions of this Section shall provide the following information at the designated Internet URL, or other widely accessible means of electronically transmitting and displaying information

to the public pursuant to paragraph (b)(6)(ii) of this Section. Such electronic information source shall be accessible to the general public at all times and include the information specified below:

(1) the date of the most recent update of this information;

(2) total #floor area# of the #required industrial uses# in the #development#;

(3) a digital copy of all approved special permit drawings pursuant to paragraph (a), inclusive, of this Section;

(4) the name of each business establishment occupying #floor area# for #required industrial uses#. Such business establishment name shall include that name by which the establishment does business and is known to the public. For each business establishment, the amount of #floor area#, the Use Group, subgroup and specific #use# as listed in this Resolution shall also be included; and

(5) contact information, including the name of the owner of the #building# and the building management entity, if different; the name of the person designated to manage the #building#; and the street address, current telephone number and e-mail address of the management office. Such names shall include the names by which the owner and manager, if different, do business and are known to the public.

(f) Compliance

Failure to comply with a condition or restriction in a special permit granted pursuant to this Section or with approved plans related thereto, shall constitute a violation of this Resolution and may constitute the basis for denial or revocation of a building permit or certificate of occupancy, or for a revocation of such special permit, and for the implementation of all other applicable remedies.

74-963
Parking and loading modifications in Industrial Business Incentive Areas

In association with an application for a special permit for #developments# or #enlargements# pursuant to Section 74-962 (Floor area increase and public plaza modifications in Industrial Business Incentive Areas), the Commission may reduce or waive the off-street parking requirements set forth in Section 44-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES), inclusive, not including bicycle parking, and may also reduce or waive the loading berth requirements as set forth in Section 44-50 (GENERAL PURPOSES), inclusive, provided that the Commission finds that:

(a) such reduction or waiver will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;

(b) the number of curb cuts provided are the minimum required for adequate access to off-street parking and loading berths, and such curb cuts are located so as to cause minimum disruption to traffic, including vehicular, bicycle and pedestrian circulation patterns;

(c) the #streets# providing access to the #development# or #enlargement# are adequate to handle the traffic generated thereby, or provision has been made to handle such traffic; and

(d) the reduction or waiver of loading berths will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement.

The Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

Appendix II

LPC Correspondence

NYC Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project:
Date received: 4/14/2015

Properties with no Architectural significance:
1) ADDRESS: 19 KENT AVENUE, BBL: 3022820001
2) ADDRESS: 77 NORTH 13 STREET, BBL: 3022820015
3) ADDRESS: 83 NORTH 12 STREET, BBL: 3022820028
4) ADDRESS: 77 NORTH 12 STREET, BBL: 3022820034

Properties with Archaeological significance:
1) ADDRESS: 19 KENT AVENUE, BBL: 3022820001
2) ADDRESS: 77 NORTH 13 STREET, BBL: 3022820015
3) ADDRESS: 83 NORTH 12 STREET, BBL: 3022820028
4) ADDRESS: 77 NORTH 12 STREET, BBL: 3022820034

Comments:
LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from Colonial, 19th Century and Native American occupation on the project site. Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary (see CEQR Technical Manual 2014).

Gina Santucci 4/21/2015

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 30394_FSO_DNP_04212015.doc

Philip Habib & Associates
Engineers and Planners • 102 Madison Avenue • New York, NY 10016 • 212 929 5656 • 212 929 5605(fax)

MEMORANDUM

To:	Gina Santucci Environmental Review Coordinator New York City Landmarks Preservation Commission
From:	David Velez, AICP Philip Habib & Associates
Date:	June 12, 2015
Subject:	25 Kent Avenue (PHA #1399)

In the comment letter dated April 21, 2015, you indicated that LPC has reviewed archaeological sensitivity models and historic maps and has determined that there is potential for the recovery of remains from Colonial, 19th Century and Native American occupation on the following sites:

1) 19 Kent Avenue, BBL: 3022820001;
2) 77 North 13 Street, BBL: 3022820015;
3) 83 North 12 Street, BBL: 3022820028;
4) 77 North 12 Street, BBL: 3022820034.

Accordingly, LPC has indicated that it recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary.

As described in PHA's request letter dated April 14, 2015, absent approval of the Proposed Action, the Applicant would develop an as-of-right primarily community facility building on the project site. On November 7, 2014, pursuant to New Building Permit No. 320591944, the Development Site was granted approval by the New York City Department of Buildings to construct an 11-story commercial and community facility office building containing 383,040 square feet of floor area and 1,100 parking spaces. This building, which is permitted as-of-right by the underlying M1-2 district, would rise to a height of 157 feet above curb level. On February 20, 2014, pursuant to Demolition Permit No. 320961562, the Development Site was granted approval to begin site clearance. Demolition for this building has been completed. On August 6, 2014, pursuant to New Building Permit No. 320591944, the Development Site was granted approval to begin construction of the foundations for this building.

As the project site and the surrounding area have historically been occupied by industrial and manufacturing uses, a Phase I Environmental Site Assessment (ESA) prepared for the project site in 1999 by Malcolm Pirnie, Inc. The Phase I ESA has documented a variety of recognized environmental concerns (RECs) on-site and extensive remediation is required.

Due to the industrial nature of the surrounding area and as the previous on-site uses had resulted in soil and groundwater contamination on-site, the site has been enrolled in the Brownfield Cleanup Program (BCP). Site remediation is expected to begin in August or September in conjunction with

excavation for the as-of-right building (support of excavation and foundations). As a result of the soil and ground water contamination, it is anticipated that it would not be possible to safely search for any potential archaeological remains on-site. Further, any potential resources would likely be contaminated. Finally, as the project site would be developed in both the No-Action and With-Action conditions, and would entail below-grade construction and in-ground disturbance in both the No-Action and With-Action conditions, any potential archaeological remains on the site would be disturbed in the future without the proposed action in conjunction with the as-of-right development. Therefore, the proposed project would not result in any new disturbance as compared to the as-of-right condition and no impacts are anticipated to archaeological resources.

Please do not hesitate to contact me if you should have any questions.

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Final Sign-Off (Multiple Sites)

Project number: DEPARTMENT OF CITY PLANNING / 16DCP065K
Project: 25 KENT AVENUE
Date received: 12/9/2015

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 19 KENT AVENUE, BBL: 3022820001
2) ADDRESS: 77 NORTH 13 STREET, BBL: 3022820015
3) ADDRESS: 83 NORTH 12 STREET, BBL: 3022820028
4) ADDRESS: 77 NORTH 12 STREET, BBL: 3022820034

Comments: The LPC notes that this project has been impacted by excavations related to as-of-right work as determined by DCP and, therefore, there are no further archaeological concerns.

Gina Santucci 12/15/2015

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 30394_FSO_ALS_12152015.doc

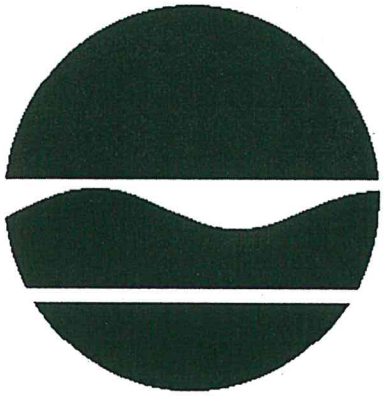
Appendix III

Voluntary Cleanup Program

Decision Document

DECISION DOCUMENT

Former Sunbelt Equipment
Brownfield Cleanup Program
Brooklyn, Kings County
Site No. C224207
July 2015



Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

Former Sunbelt Equipment
Brownfield Cleanup Program
Brooklyn, Kings County
Site No. C224207
July 2015

Statement of Purpose and Basis

This document presents the remedy for the Former Sunbelt Equipment site, a brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the Former Sunbelt Equipment site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. Excavation

All on-site soils which exceed unrestricted use SCOs, as defined by 6 NYCRR Part 375-6.8, will be excavated and transported off-site for disposal. Approximately 50,000 cubic yards of soil will be removed from the site. Excavation will encompass the entire site to a depth of 15 feet. The soil remedy is expected to address the identified groundwater contamination through source removal and excavation dewatering. As part of this excavation, any on-site underground storage tanks, piping and associated contaminated soils will be removed and disposed of in accordance with NYSDEC guidance. Sampling will be conducted in accordance with DER-10 to document that any soil above bedrock left on-site meets the unrestricted SCOs.

On-site soil which does not exceed unrestricted use SCOs may be reused on the site to backfill the excavation to the extent that a sufficient volume of on-site soil is available and establish the designed grades at the site. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) may be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

3. Local Institutional Controls

If no Environmental Easement or Site Management Plan is needed to achieve soil, groundwater, or soil vapor remedial action objectives, then the following local use restriction will be relied upon to prevent ingestion of groundwater: Article 141 of the NYCDOH code. If a sub-grade parking garage is constructed beneath the entire future on-site building, then the soil vapor remedial action objectives will be achieved through compliance with the New York City Mechanical Code, which requires proper ventilation.

4. Vapor Intrusion Evaluation
As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

5. Contingent Track 1

The intent of the remedy is to achieve Track 1 unrestricted use; therefore, no environmental easement or site management plan is anticipated. If the soil vapor intrusion (SVI) evaluation has not been completed prior to completion of the Final Engineering Report, then an SMP and EE will be required to address the SVI evaluation and implement actions, as needed; if a mitigation action is needed, a Track 1 cleanup can only be achieved if the mitigation system can be shut down within 5 years of the date of the Certificate of Completion.

In the event that Track 1 unrestricted use is not achieved, including the achievement of groundwater and soil vapor remedial objectives, the following contingent remedial elements will be required and the remedy will achieve a Track 2 restricted residential cleanup.

Contingent Remedial Elements:

Engineering and Institutional Controls

Imposition of an institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2 restricted residential cleanup at a minimum and will include an environmental easement and site management plan as described below.

A. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

a. require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
b. allow the use and development of the controlled property for restricted residential, use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
c. restrict the use of groundwater as a source of potable or process water without necessary water quality treatment as determined by the NYSDOH or NYCDOH; and
d. require compliance with the Department approved Site Management Plan.

B. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in the contingent institutional control section above.

This plan includes, but may not be limited to:

- descriptions of the provisions of the environmental easement including any land use ;
- provisions for the management and inspection of the identified engineering controls;
- provision for the evaluation of the potential for soil vapor intrusion for future buildings developed on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

- monitoring of groundwater to assess the performance and effectiveness of the remedy, including the potential effects of construction dewatering on adjacent properties
- a schedule of monitoring and frequency of submittals to the Department
- monitoring for vapor intrusion for any occupied existing or future buildings developed on the site, as may be required by the Institutional and Engineering control Plan discussed above.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

July 28, 2015
Date

George Heitzman, Director
Remedial Bureau C

DECISION DOCUMENT

Former Sunbelt Equipment
Brooklyn, Kings County
Site No. C224207
July 2015

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

Brooklyn Public Library - Greenpoint Branch
107 Norman Ave.
Brooklyn, NY 11222
Phone:

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email

listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The Former Sunbelt Equipment site is located in an urban area in the Williamsburg section of Brooklyn, Kings County. The site is bounded by Wythe Avenue to the east, N 13th Street to the north, Kent Avenue to the west, and N 12th Street to the south.

Site Features: The site comprises the full block. The property formerly included two groups of interconnected structures which have been razed. The perimeter of the site is enclosed with 10-ft. tall chain-link, corrugated metal and/or plywood fencing. Concrete block walls, 2-3 feet tall, border portions of the north, east and west property boundaries and are topped by the aforementioned fencing.

Current Zoning/Use: The site is currently zoned M1-2 which are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts include light industrial uses although offices, hotels and most retail uses are also permitted. The property is currently vacant. Surrounding land uses are primarily industrial including a former MGP site and an abandoned major oil storage facility (MOSF); however, both of these sites are slated for redevelopment as parks.

Past Use(s) of the Site: Beginning in roughly 1867, the site was part of a large, multi-block petroleum refinery known as the Pratt works. Sanborn fire insurance maps dated 1887 and 1916 show numerous storage tanks related to the Pratt Works, and to paint manufacturing facilities. Subsequent land uses include manufacturing, lumber storage, and a scrap metal yard. Most recently, the property was used for storage and maintenance of heavy construction equipment.

Multiple spills have been reported related to petroleum free product observed at the water table near the intersection of Kent Ave and N. 13th St. and in association with underground storage tank (UST) removals. A total of 11 USTs were removed or closed in place and excavation and removal of petroleum contaminated soil was conducted near the northwest corner and at the center of the site. An approximate total of 85 tons of contaminated soil has been excavated and disposed of off-site.

Site Geology and Hydrogeology: Regional maps show bedrock as an igneous intrusive known as the Ravenswood granodiorite of middle Ordovician to middle Cambrian age. Soil borings on the site have not encountered bedrock and it is presumed to be in excess of 70 feet below ground surface.

Unconsolidated sediments overlie the bedrock and consist of Pleistocene aged sand, gravel and silty clays, deposited by glacial-fluvial activity. Non-native fill materials consisting of dredge spoils, rubble and/or other materials have historically been used to reinforce and extend shoreline

areas and to raise and improve the drainage of low lying areas.

Soil at the site is described as historic fill material to a depth of approximately 8 to 12 feet below the surface underlain by native brown fine sand with silt and some clay. Groundwater at the site is present under water table conditions at a depth of approximately 5 to 12 feet below grade. Local flow on site appears to be to the southeast; however, it is highly likely that overall flow is westward towards the East River.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives (or an alternative) that restrict(s) the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant(s) under the Brownfield Cleanup Agreement is a/are Volunteer(s). The Applicant(s) does/do not have an obligation to address off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and

groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

benzene, toluene, ethylbenzene and xylenes (BTEX)
polycyclic aromatic hydrocarbons (PAHS), total
arsenic
lead
trichloroethene (TCE)
1,1,1-trichloroethane
tetrachloroethene (PCE)

The contaminant(s) of concern exceed the applicable SCGs for:

- groundwater
- soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

There were no IRMs performed at this site during the RI.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Sampling data indicate that soil, groundwater and soil vapor have been impacted by on-site and/or off-site contamination. The primary contaminants of concern include metals, VOCs and SVOCs.

Soil: Soils contain metals above unrestricted and/or restricted use SCOs including high concentrations of arsenic and lead. Lead concentrations are particularly high in the western portion of the site where concentrations of lead range from 397 to 9,350 parts per million (ppm).

Soils throughout the site contain VOCs above unrestricted use SCOs. Visibly petroleum-contaminated soils have been found in several areas near locations where underground storage tanks were once located. SVOCs including benzo(a)anthracene, benzo(a)pyrene and benzo(b)fluoranthene above unrestricted and restricted use SCOs. Benzo(a)pyrene concentrations range from 1 to 13.6 ppm. Site contamination extends to depths of approximately 15 feet. Deeper soils appear to be unimpacted.

The same contaminants have been found on neighboring properties. However, given the extensive history of industrial development in the area, the off-site contamination appears to have originated from off-site sources.

Groundwater: Groundwater on the site exceeds standards for VOCs. Most notable is benzene at concentrations up to 3,300 parts per billion (ppb). SVOCs include naphthalene at concentrations up to 600 ppb. Both the VOCs and SVOCs appear to be derived from former petroleum tank locations.

Soil Vapor: TCE (ND-16.2 ug/m3) PCE (ND-245 ug/m3) and TCA (ND-284 ug/m3) were detected in soil vapor samples collected from the site. These COCs have not been identified in soil or groundwater samples collected at the site and therefore no on-site source has been identified.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure.*

Since the site is fenced and covered with asphalt, concrete or building foundations, people will not come in contact with contaminated soils unless they dig below the surface materials. Contaminated groundwater at the site is not used for drinking or other purposes and the site is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in groundwater may move into the soil vapor (air spaces within the soil, which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Environmental sampling has indicated that soil vapor at the site is contaminated as a result of an off-site source. Because the site is vacant, the inhalation of contaminants due to soil vapor intrusion does not represent a current concern. The potential exists for the inhalation of contaminants due to soil vapor intrusion from an off-site source for any future onsite redevelopment and occupancy. Sampling indicates that site-related contaminants do not represent a concern for soil vapor intrusion off-site.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

RAOs for Environmental Protection

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.
- Prevent the discharge of contaminants to surface water.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.
- Prevent impacts to biota from ingestion/direct contact with soil causing toxicity or impacts from bioaccumulation through the terrestrial food chain.

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 1: Unrestricted use remedy.

The selected remedy is referred to as the excavation of all soils above bedrock to unrestricted use criteria remedy.

The elements of the selected remedy, as shown in Figure 2, are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. Excavation

All on-site soils which exceed unrestricted use SCOs, as defined by 6 NYCRR Part 375-6.8, will be excavated and transported off-site for disposal. Approximately 50,000 cubic yards of soil will be removed from the site. Excavation will encompass the entire site to a depth of 15 feet. The

soil remedy is expected to address the identified groundwater contamination through source removal and excavation dewatering. As part of this excavation, any on-site underground storage tanks, piping and associated contaminated soils will be removed and disposed of in accordance with NYSDEC guidance. Sampling will be conducted in accordance with DER-10 to document that any soil above bedrock left on-site meets the unrestricted SCOs.

On-site soil which does not exceed unrestricted use SCOs may be reused on the site to backfill the excavation to the extent that a sufficient volume of on-site soil is available and establish the designed grades at the site. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) may be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

3. Local Institutional Controls

If no Environmental Easement or Site Management Plan is needed to achieve soil, groundwater, or soil vapor remedial action objectives, then the following local use restriction will be relied upon to prevent ingestion of groundwater: Article 141 of the NYCDOH code. If a sub-grade parking garage is constructed beneath the entire future on-site building, then the soil vapor remedial action objectives will be achieved through compliance with the New York City Mechanical Code, which requires proper ventilation.

4. Vapor Intrusion Evaluation
As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

5. Contingent Track 1

The intent of the remedy is to achieve Track 1 unrestricted use; therefore, no environmental easement or site management plan is anticipated. If the soil vapor intrusion (SVI) evaluation has not been completed prior to completion of the Final Engineering Report, then an SMP and EE will be required to address the SVI evaluation and implement actions, as needed; if a mitigation action is needed, a Track 1 cleanup can only be achieved if the mitigation system can be shut down within 5 years of the date of the Certificate of Completion.

In the event that Track 1 unrestricted use is not achieved, including the achievement of groundwater and soil vapor remedial objectives, the following contingent remedial elements will be required and the remedy will achieve a Track 2 restricted residential cleanup.

Contingent Remedial Elements:

Engineering and Institutional Controls

Imposition of an institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2

restricted residential cleanup at a minimum and will include an environmental easement and site management plan as described below.

A. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

a. require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
b. allow the use and development of the controlled property for restricted residential, use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
c. restrict the use of groundwater as a source of potable or process water without necessary water quality treatment as determined by the NYSDOH or NYCDOH; and
d. require compliance with the Department approved Site Management Plan.

B. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in the contingent institutional control section above.

This plan includes, but may not be limited to:

- descriptions of the provisions of the environmental easement including any land use ;
- provisions for the management and inspection of the identified engineering controls;
- provision for the evaluation of the potential for soil vapor intrusion for future buildings developed on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

- monitoring of groundwater to assess the performance and effectiveness of the remedy, including the potential effects of construction dewatering on adjacent properties
- a schedule of monitoring and frequency of submittals to the Department

- monitoring for vapor intrusion for any occupied existing or future buildings developed on the site, as may be required by the Institutional and Engineering control Plan discussed above.

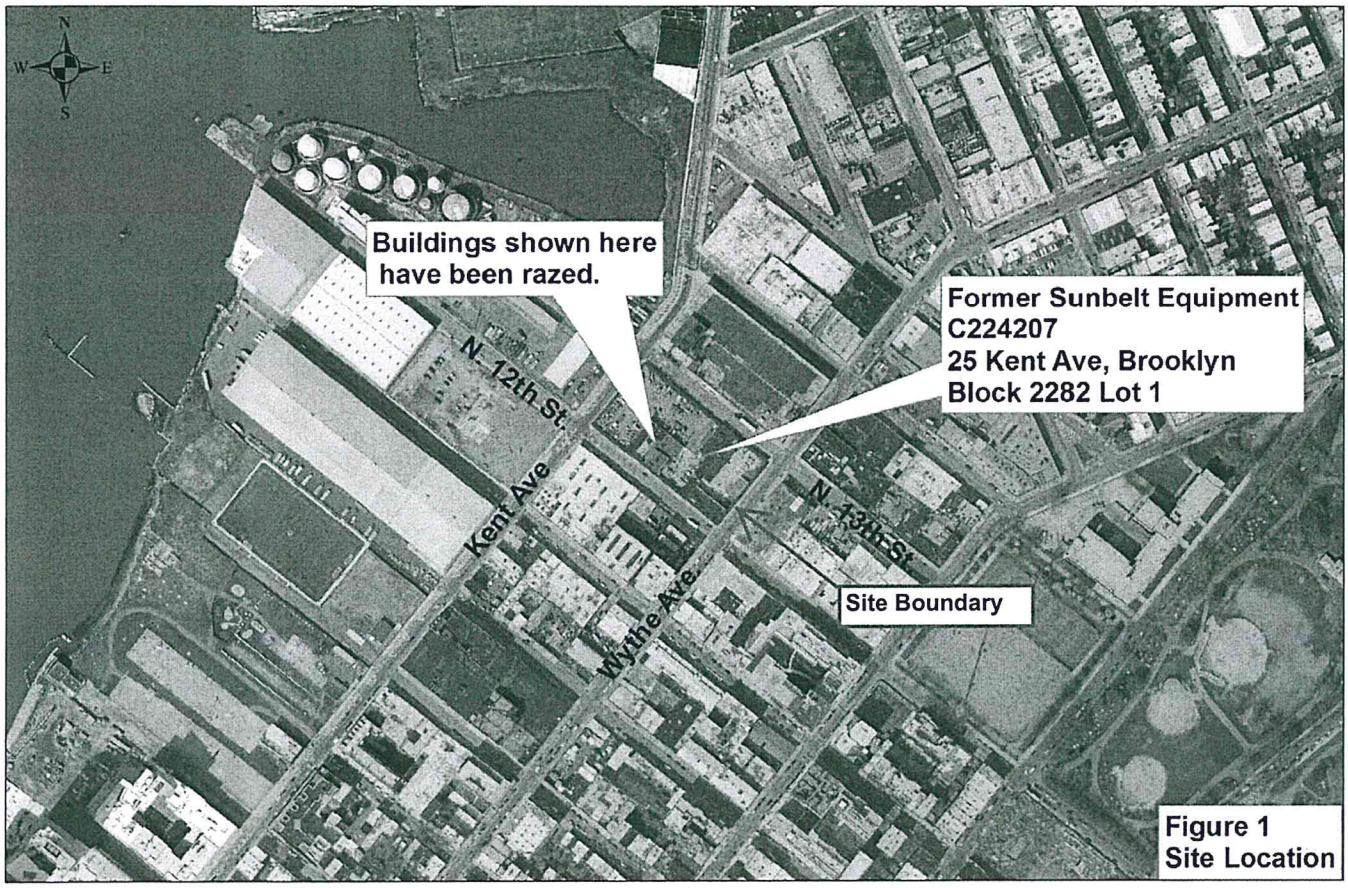
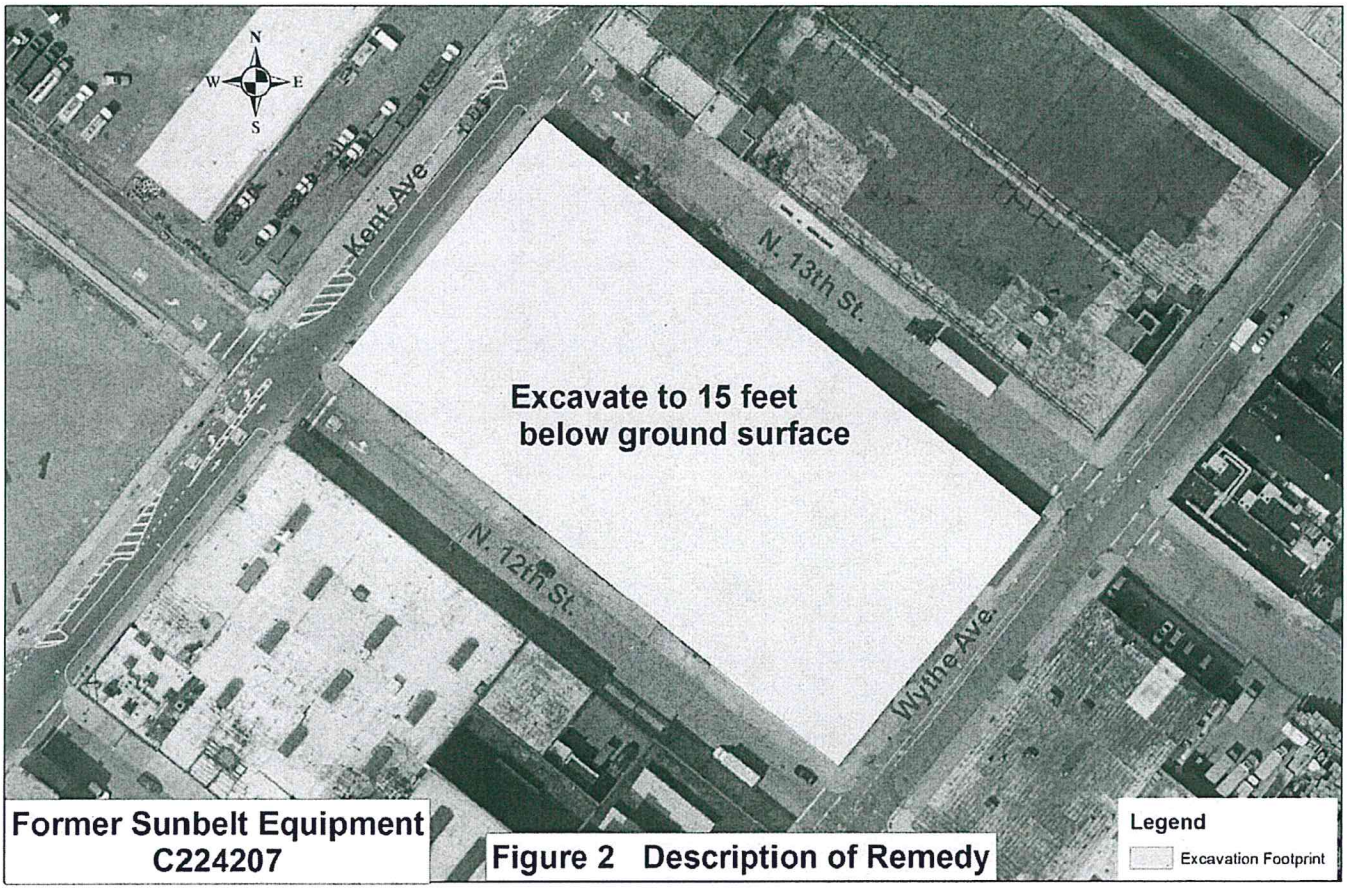


Figure 1
Site Location



Former Sunbelt Equipment
C224207

Figure 2 Description of Remedy

Appendix IV

WRP Consistency Assessment Form

For Internal Use Only:
Date Received: _____

WRP no._____
DOS no._____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)*. The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

A. APPLICANT

1. Name: Raymond Levin
2. Address: 61 Broadway, New York, NY 10006
3. Telephone: 212-391-8045 Fax:_____ E-mail: rlevin@slaterbeckerman.com
4. Project site owner: 19 Kent Acquisition LLC

B. PROPOSED ACTIVITY

1. Brief description of activity:

   The proposed project involves the development of Block 2282 (Lot 1). The Proposed Development would be an approximately 485,156 gsf development that would include approximately 278,754 gsf of commercial office space, 37,347 gsf of local retail, 70,722 gsf of Business Enhancing Uses and 275 below-grade parking spaces. Development of the proposed project requires approvals from the CPC for a zoning text amendment (the NYC Department of City Planning will be a co-applicant for this action) and two Special Permits. A one-block special permit area would also be created.

2. Purpose of activity:

   The amount of existing office space in the surrounding area has not expanded sufficiently to meet the needs of the area's growing residential population. Therefore, the introduction of approximately 278,754 gsf of commercial office space facilitated by the Proposed Action would provide much needed office space for this growing residential population. Furthermore, introducing additional commercial office space in Williamsburg would address a borough-wide need for new commercial office space, particularly for technology firms.

3. Location of activity: (street address/borough or site description):

   The project site is located in Williamsburg, Brooklyn on Block 2282, Lot 1 (bounded by Kent Ave on the west, Wythe Ave on the east, North 12th Street on the south, and North 13th Street on the north). The Zoning Text Amendment would create a special permit available on the project site, which is zoned M1-2 and is located within the Greenpoint-Williamsburg Industrial Business Zone (the "Greenpoint-Williamsburg IBZ").

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

   N/A

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

   N/A

6. Will the proposed project require the preparation of an environmental impact statement?
   Yes _____ No ____✓____ If yes, identify Lead Agency:

7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

   A zoning text amendment and associated Special Permits (discretionary approvals which comprise the Proposed Action) are required from the New York City Planning Commission. The area subject to the proposed zoning text amendment comprises one block in the Greenpoint-Williamsburg Industrial Business Zone (IBZ) which is zoned M1-2.

C. COASTAL ASSESSMENT

Location Questions:	**Yes**	**No**
1. Is the project site on the waterfront or at the water's edge?		✓
2. Does the proposed project require a waterfront site?		✓
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?		✓

Policy Questions	**Yes**	**No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)	✓	
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	✓	
6. Will the action result in a change in scale or character of a neighborhood? (1.2)	✓	

Policy Questions cont'd	Yes	No
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)		✓
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)		✓
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)		✓
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)		✓
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)		✓
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)		✓
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)		✓
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)		✓
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)		✓
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)		✓
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)		✓
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)		✓
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)		✓
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1and 9.2)		✓
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)		✓
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)		✓
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)		✓
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)		✓
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)		✓
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)		✓
27. Will any activity associated with the project generate nonpoint source pollution? (5.2)		✓
28. Would the action cause violations of the National or State air quality standards? (5.2)		✓

Policy Questions cont'd	Yes	No
29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)		✓
30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)		✓
31. Would the proposed action have any effects on surface or ground water supplies? (5.4)		✓
32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)	✓	
33. Would the action result in any construction activities that would lead to erosion? (6)		✓
34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)		✓
35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)		✓
36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)		✓
37. Would the proposed project affect a non-renewable source of sand ? (6.3)		✓
38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)		✓
39. Would the action affect any sites that have been used as landfills? (7.1)		✓
40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)		✓
41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)		✓
42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)		✓
43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)		✓
44. Would the action result in the provision of open space without provision for its maintenance? (8.1)		✓
45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)		✓
46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)		✓
47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)		✓
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)		✓
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)		✓
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)		✓

Policy Questions cont'd	Yes	No
51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)		✓
52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)		✓

D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: Raymond Levin

Address: 61 Broadway, New York, NY 10006

Telephone 212-391-8045

Applicant/Agent Signature: Raymond Levin Date 5-20-2016